

PASADENA POLICE DEPARTMENT

Inter-Office Correspondence



To: K. Wingerson, Assistant Chief of Police

Date: July 1, 2018

From: C. A. Murray, Lieutenant

Subject: Commander's Summary - IAD Control #1274

I received the said investigation for review and recommendation. Sergeant C.A. Hamilton, Internal Affairs, conducted the internal investigation, and Detective R. Guerra conducted the criminal investigation.

The following is a summary of the incident:

On March 29, 2018 at approximately 04:02 a.m. Officer R. Saldivar was dispatched to 5230 Keith Avenue, Pasadena, Harris County, Texas in reference to a suspicious person. The reportee, Edie Potts, who lives at 5230 Keith reported that an unknown male was ringing the doorbell while stating "Open the Door." When the reportee asked who it was, the unknown subject stated, "It's a stranger, open up." The reportee called police and officers were dispatched to the residence. After arriving in the area, Officer Saldivar checked southbound on Pansy and observed a subject matching the description of an earlier theft suspect running west across Pansy. The subject entered the parking lot of the Broadwater Apartments, at 5045 Crenshaw, by jumping the wrought iron fence. Officer Saldivar stopped his patrol unit in the roadway in the 4600 block of Pansy with its emergency lights flashing. He then approached the fence, and contacted the suspect, who was standing a short distance away. During the contact, the suspect produced a gun, and Officer Saldivar fearing for his safety, responded to the threat by drawing and discharging four rounds from his duty weapon, which is a Glock 22, .40 caliber semi-automatic pistol. The suspect dropped his gun and fled on foot. He was apprehended at 07:28 a.m. at 5001 Beltway 8. Neither the suspect nor any civilians were injured. The gun dropped by the suspect was discovered to be a realistic looking pellet gun. Body and dash cam video was reviewed, and in a video recorded interview, the suspect admitted having the gun in his hand.

Sergeant Hamilton was contacted the night of the incident and responded to the scene. Detective R. Guerra conducted the criminal investigation, which resulted in the suspect, Angel Ramirez, being charged with Aggravated Assault on a Public Servant.

Having reviewed the case file, and available evidence, I believe Officer R. Saldivar's actions are governed by the Pasadena Police Department Rules Manual 10.3 Use of Force Procedures.

EXHIBIT 36

10.3 PROCEDURES

1) Use of Force

- a) Officers may use only that level of force that is objectively reasonable to bring an incident under control.
- b) Officers are authorized to use force, including department approved equipment and techniques, when one or more of the following apply:
 - i. To protect the officer or others from physical harm.
 - ii. To restrain or subdue a resistant individual.
 - iii. To bring an unstable, threatening, or unlawful situation safely and effectively under control.

2) Use of Deadly Force: Officers are authorized to use deadly force when it is necessary to protect the officer or others from what is reasonably believed to be an imminent threat of death or serious bodily harm.

Based on the information provided by Sergeant C.A. Hamilton's report and the available evidence; it is my opinion, Officer R. Saldivar was justified in discharging his firearm to protect himself from what was perceived to be an imminent threat of death or serious bodily harm when the suspect produced a firearm. Therefore, it is my opinion this incident should be classified as **Exonerated**.

CAM 4830

C. A. Murray, Lieutenant
Night Shift Commander

*I agree with Lt. Murray's findings!
K. W. Ingram, d/c*

EXHIBIT 36

PASADENA POLICE DEPARTMENT

Inter-Office Correspondence



To: A. Espinoza, Chief of Police

Date: May 8, 2018

From: Sgt. C.A. Hamilton #1122

Subject: Discharge of a Firearm - Control #1274

SUMMARY OF COMPLAINT

Officer R. Saldivar, having been dispatched to a suspicious person call at 5230 Keith, located a subject of interest in the 4500 block of Pansy. The subject then jumped a fence into a nearby apartment complex and upon being contacted by Officer Saldivar, allegedly displayed a handgun. Officer Saldivar responded by discharging his weapon, four times, but did not strike the subject, who fled the scene. The subject, identified as Angel Ramirez, was later located and arrested.

ALLEGATION

Discharge of a Firearm

OFFICER INVOLVED

*Officer Rigoberto Saldivar
Employee #5750
Patrol Division - Nights*

COMPLAINANT

*Chief of Police A. Espinoza
1201 Davis
Pasadena, TX 77506
713-477-1221*

SUSPECT

Angel Ramirez

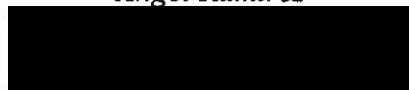


EXHIBIT 36

- 2 -

SUMMATION

On April 16, 2018, a call for service was received for a suspicious person ringing the doorbell to the residence at 5230 Keith. The reportee advised the male rang the doorbell numerous times asking for her to open the door because he was a "stranger" and needed money. Officers quickly arrived on scene and began searching the area.

While traveling southbound on Pansy St. from Keith Ave., Officer R. Saldivar observed a subject, matching the given suspect description, crossing the roadway westbound in the 4500 block of Pansy. The subject then jumped the fence into the apartment complex located at 5045 Crenshaw and began to walk away. Officer Saldivar called out to the subject, later identified as Angel Ramirez, and told him to return. As Ramirez turned around, he produced a handgun which caused Officer Saldivar to be in fear for his life. Officer Saldivar discharged four rounds from his service weapon before broadcasting "shots fired". Ramirez was not struck by the rounds; however, dropped two handguns, which were later discovered to be pellet guns, and fled the scene. A third pellet gun was located when Ramirez was again spotted in the backyard of 4502 Sienna Heights. Ramirez was not located until approximately three and a half hours after the original contact and taken into custody near the intersection of Preston at Beltway 8.

Upon surveying the scene, it was found that Officer Saldivar's rounds had struck a fence pole, an apartment resident's vehicle, a garbage storage shed, and through the window of a second story apartment.

While searching for Ramirez, it was found that he was also a person of interest in a theft that had occurred earlier that morning at the Walmart located at 5200 Fairmont (Case #18-7962), which is in close proximity to 5230 Keith. During this incident, Ramirez was seen, on video, taking a pellet gun and accessories. When interviewed, Ramirez admitted to stealing the pellet gun and having it in his hand when he was contacted by Officer Saldivar. However, he denies pointing the weapon at the officer. Ramirez was ultimately charged with Aggravated Assault by the Harris County District Attorney. He is currently incarcerated and awaiting trial.

INTERNAL AFFAIRS INVESTIGATION

On April 16, 2018, at approximately 06:15AM, I was notified by Sergeant A. Sanders of an Officer-Involved Shooting. I responded to the area of 4500 Pansy St. and contacted Detective R. Guerra, who advised me he would be conducting the criminal investigation and provided me with the details of the incident. He informed me officers had been dispatched to 5230 Keith Ave. in reference to a male subject who had knocked on the door of the residence and told the homeowner, "I'm a stranger, let me in." Shortly thereafter, Officer R. Saldivar arrived on scene and began looking for the suspect south on Pansy from Keith. Officer Saldivar observed the suspect crossing the roadway in the 4500 block of Pansy, westbound. The suspect then jumped a fence into the parking lot of a nearby apartment complex located at 5045 Crenshaw Rd. As Officer Saldivar gave him verbal commands, it was believed the suspect displayed a weapon causing Officer Saldivar to discharge his weapon. At that time, it was unknown if the suspect had been struck as he had fled the scene and a search for him was ongoing. Detective Guerra had learned that a nearby vehicle and a garbage containment wall had been struck by discharged

EXHIBIT 36

- 3 -

rounds. He also informed me the Harris County District Attorney's Office had been notified and would not be responding to the scene.

Also present on the scene were Officers S. Dudley, W. Randles, S. Coulter, and Sergeant J. McGill, of the Crime Scene Unit, Detective M. Cooper, Sergeant M. Norman, and Lieutenant J. Dombrowa, of the Criminal Investigations Unit. Numerous other patrol officers and patrol sergeants, who responded to the call, had secured the scene and were searching for the suspect. Officer Saldivar, who had discharged his weapon, had been removed from the area and was currently with Sergeant F. Davis, a Peer Support representative.

The scene was contained from the 4500 block of Pansy through the northeast portion of the parking lot of 5045 Crenshaw Rd (Broadwater Luxury Apartments). Pansy Street consists of four lanes that run north and south with a dividing median. 5045 Crenshaw is located at the northwest corner of the intersection of 4600 Pansy @ 5000 Crenshaw and extends north. The complex consists of multiple units, within multiple three-story buildings, numerous parking lots throughout, and is surrounded by wrought-iron fencing.

Officer Saldivar's unit (2016, Ford Explorer, Unit #1631) was parked in the outside lane, of southbound travel, 4500 Pansy St., facing southbound. Directly in front of the unit, southwest, were two spent shell casings and a third shell casing was found to the southeast. Between the patrol unit and the apartment complex (west) was a grassy shoulder and ditch with the property line secured by a wrought-iron fence. The fence line is approximately 10 feet west of the curb line. Inspection of the fence showed an indentation on one of the approximately one inch fence rails, which appeared to have been made by being struck by one of the shots fired by the officer.

To the west of the fence line, inside the perimeter of the apartment complex at 5045 Crenshaw, on the ground, were two handguns. One appeared to be a semi-automatic handgun with a silver slide and tan frame, the second a black revolver. Upon closer inspection, the two handguns were found to be pellet guns. The pistol grips on the revolver had fallen off of the gun. The location of the guns were approximately 25 feet south by southwest of Officer Saldivar's spent casings and patrol unit. To the southwest of the fence line, also within the perimeter of the apartment complex, was a black Ford F-150 pick-up truck. On the lower passenger side, of the front quarter panel, was what appeared to be a bullet hole. Further west of the fence line, within the perimeter of the apartment complex, was what appeared and later found to be a bullet hole in the doorway of an enclosed area that keeps a trash dumpster. The bullet hole had gone through the door, appeared to have struck a metal pole inside the enclosure, then traveled through the side wall, in a southwesterly direction, before striking and embedding itself in the wall of a garage. Also located later, was a final bullet hole, further west, which had gone through a second story window of the southeast corner of building # 6, apartment #620. A scaled diagram of the scene was completed and is included within this jacket.

During the investigation, I was informed by Officer Saldivar's attorney, Greg Cagle, Officer Saldivar would provide written documentation of what had occurred. Therefore, at the completion of the investigation at the scene, Officer Saldivar and Cagle returned to the Pasadena Police Station. Once there, Officer Saldivar completed a supplement report and later provided me with a signed affidavit for this investigation. The information provided in the supplement report was consistent with the details later observed in his body camera video.

EXHIBIT 36

- 4 -

The following is Officer Saldivar's full statement without corrections:

On April 16, 2018, at approximately 4:06 a.m., while working night shift patrol, I was dispatched to a suspicious person call at 5230 Keith. I was operating a marked police patrol unit #1631 and wearing my regular police patrol uniform. Further details provided by dispatch indicated the reportee stated an unknown male was ringing her doorbell and requested she open the door. The reportee being frightened by the unknown male contacted the police.

I arrived on scene at 4:08 a.m., along with Sgt. Hibbs and Officer Powell. I contacted the reportee who was identified as Edie Potts (w/ [REDACTED]). Mrs. Potts stated around 4:02 a.m., an unknown male began ringing her doorbell. Mrs. Potts said when she asked who it was the male stated, "It's a stranger open up!" Mrs. Potts then advised the male demanded money at which time she became frightened and called the police. Mrs. Potts was unable to provide me with a description of the suspect because she was afraid to look out the window.

Sgt. Hibbs, Officer Powell and I then checked Mrs. Potts backyard and the surrounding residences unable to locate the suspect. We then began searching the surrounding area outside of Mrs. Potts neighborhood. As I drove southbound on the 4500 block of Pansy, I observed a Hispanic male wearing a black and white hooded jacket, blue jeans and white tennis shoes. This description matched that of a theft suspect who stole property from Walmart (5200 Fairmont) one hour earlier. (Refer to case number 18-7962) The male was observed running westbound from the northwest corner of Patients Hospital crossing over Pansy. The male looked in my direction as he crossed Pansy and then jumped over a seven foot square tubed wrought iron fence leading into the Broadwater Apartments (5045 Crenshaw Rd.). I stopped my patrol unit and activated my emergency lights and used my spot light to try and lighten the dark area. As I exited my patrol vehicle, I called out to the male and asked him to come talk to me as I walked towards the fence. The male continued to slowly walk away but then turned around and began walking towards me. As the male neared the fence I used my flashlight to see his hands at which time I observed the male pull a semi-automatic handgun from behind his back with his right hand and began raising it in my direction. I immediately drew my service weapon (Glock 22 semi-automatic .40 caliber pistol) and fired several rounds towards the suspect who appeared to fall backwards. The male then ran northbound between several parked vehicles at which time I lost sight of the suspect due to large green sub trees along the fence line. I notified dispatch that shots had been fired and provided my location. I then informed Sgt. Hibbs and Officer Powell, who arrived to my location as the shooting was occurring, to the last known location of the suspect.

A description of the suspect was then broadcasted for additional responding units to the area. Several hours later the suspect was located and arrested by Pasadena Police Officers at Beltway 8 and Preston. The suspect was then transported back to 4500 Pansy where I positively identified the suspect.

I surrendered my duty weapon and magazine in the weapon to ID Division Officer R. Hunt as requested by Detective R. Guerra.

I later reviewed my Mobile Video Recorder (MVR) and Body Camera assigned to unit 1631 which showed the male place what appears to be a bag through the wrought iron fence prior to jumping the fence and him pick up the bag on the opposite side of the fence. The video also

EXHIBIT 36

- 5 -

showed the male to have nothing in his hands as he jumped over the fence into the Broadwater Apartments. Both the MVR and Body Cam video also recorded four shots being fired from my service weapon at the suspect. These videos were downloaded and submitted as evidence.

Saldivar's weapon was retrieved for the purpose of cataloging his ammunition. From this process it was determined that his weapon was a Glock Model 22 .40 caliber semi-automatic handgun, serial number CRV702. The magazine for the weapon had a capacity for 15 rounds; however, according to Saldivar, he only filled the magazine with 14 rounds, in order to reduce spring tension. One additional round was in the weapon for a total of 15 rounds in the charged weapon. 11 rounds were recovered from the weapon. This revealed Saldivar was missing 4 rounds, which matched the number of bullet strikes located at the scene. Saldivar carried two spare magazines with 14 rounds in each; however, he retained custody of these items.

After departing the scene, I learned Detective Guerra had interviewed Ramirez, which had been video recorded. The following is a summary of that interview:

The interview began on April 16, at approximately 11:12 AM. Ramirez was informed that he was in custody and properly advised of his Miranda Rights. Ramirez responded he understood and was willing to speak with Detective Guerra.

Ramirez began by explaining that he had been at Walmart with his cousin. While there, he stole a pellet gun and pellet gun accessories. When confronted by Walmart Staff, he left some of the items and ran away. Ramirez said he was advised he would be under arrest; however, he did not trust that and ran away. Ramirez stated his cousin had remained at Walmart.

After fleeing, Ramirez knocked on several doors looking for a phone. He explained that he did not know his way home and began to wander around. Ramirez then said he was in the woods, ran across the road, threw the gun through a fence, and then jumped over the fence into an apartment complex. As Ramirez jumped the fence, he said he did see someone, but did not know it was an officer. Ramirez said he had not pointed the gun at the officer but he did have it in his hand. Ramirez was asked if any shots were fired at him. He answered, "Hell yeah, then I ran. I didn't want to get killed." Detective Guerra directly asked Ramirez, "Did you have the gun in your hand at the time when the officer confronted you?" Ramirez stated, "Yeah, I had already put them (hands) in the air. And he still did that shit." Detective Guerra asked why Ramirez he had not laid down or complied, which he answered "I've seen videos of y'all." When asked to explain, Ramirez responded incoherently. Detective Guerra then stated, "so, then you ran until the police got you?" Ramirez answered, "Yeah."

Detective Guerra next asked Ramirez how many guns he had on him during the encounter. Ramirez reluctantly replied that he had two. Detective Guerra explained that three guns had been recovered and asked Ramirez if he had two or three weapons with him. Ramirez would only say, "I think so."

Detective Guerra closed the interview by advising Ramirez he would be contacting the District Attorney in reference to the incident and that charges were pending. The interview was concluded at about 11:24 AM.

A copy of the interview is included within this jacket.

EXHIBIT 36

- 6 -

Numerous reports were written by officers involved in this incident. Throughout these reports, I learned the following additional information.

Officer R. Powell authored the original offense report (18-7963). He wrote on April 16, at about 3:09 AM, he had been dispatched to the area of 5200 Fairmont (Walmart) to search for a theft suspect (Case #18-7962). The suspect was described as a Hispanic male wearing a grey hoodie with black stripes and black pants. Powell was unable to locate the suspect and returned to service at approximately 04:02 AM.

At the same time, Dispatch broadcasted a male, matching the suspect description, knocked on the door of 5230 Keith. Officer Powell, Officer Saldivar, and Sergeant Hibbs began looking for the suspect in the area of Pansy at Keith. Powell explained Saldivar was travelling south on Pansy, from Keith, when he broadcast he had located a subject. As he approached the 4600 block of Pansy, Powell heard approximately four shots and Saldivar transmit "shots fired". Powell proceeded to Saldivar, learned he had not been harmed, and was advised the suspect was somewhere within the parking lot of 5045 Crenshaw. Other officers began to arrive and secured a perimeter.

At approximately 5:48 AM, Dispatch broadcasted a male, with the same suspect description, was seen at 4502 Sienna Heights. Shortly thereafter, Officer Logan and Sergeant Hibbs advised the suspect was in custody. Powell remained on scene until Detectives and the Crime Scene Unit had arrived.

Sergeant Hibbs added he too had been searching the area of Keith and Pansy when he heard "gun shots". Hibbs could see Saldivar's unit, with emergency equipment activated, facing south on Pansy directly east of 5045 Crenshaw. As he arrived to Saldivar's location, Hibbs could see two handguns on the ground inside the fence line.

Hibbs remained on scene until Dispatch broadcast the suspect was seen at the residence of 4502 Sienna Heights. Upon locating the suspect, at that location, he evaded by jumping the fence into the yard of 5102 Keith, where a third handgun was found. Officers continued to search for the suspect until Dispatch notified them the suspect was seen walking eastbound Beltway 8 at Preston Ave. Hibbs and Officer Logan were then able to apprehend the suspect without incident.

Officer Logan completed a supplement confirming the details of the suspect's, Angel Ramirez, apprehension. Logan added when Ramirez was taken into custody he was found with numerous pellet gun accessories (magazines, CO2 cartridges, bullet casings / pellet containers), which had been stolen from Walmart. He then transported Ramirez to the scene where Officer Saldivar was able to positively identify him as the suspect he had encountered.

Probationary Officer K. Conner and Field Training Officer D. Drey took initial photographs of the scene and maintained a crime scene log.

Officers S. Dudley, W. Randles, and S. Coulter responded from the Crime Scene Unit. All three officers assisted in processing the scene and recovering evidence. Officer Randles oversaw and recorded the cataloging process for Officer Saldivar's weapon. It should be noted Officer Dudley recovered the suspect's weapons, chrome / tan XCP UX 4.5mm .117 caliber pellet gun

EXHIBIT 36

- 7 -

and a black revolver pellet gun with faux ammo. She later recovered the suspect's third weapon, a black revolver .357 caliber styled pellet gun from 4502 Sienna Heights.

Detective Guerra, who authored the detective investigation supplement, detailed the following:

On the morning of April 16, 2018, Detective Guerra was called out to the scene of an officer involved shooting. The location given was 5045 Crenshaw. As he entered the area, he learned that the actual shooting had occurred on Pansy Street and not on Crenshaw. Detective Guerra was advised officers had been called out to the scene of a suspicious person on Keith Street described as a Hispanic male that was knocking on the door telling the resident to let him in. As officers arrived at the scene, Officer Saldivar turned southbound on Pansy Street and observed a subject crossing Pansy westward and then jumping the fence into the apartment community. As Officer Saldivar proceeded to contact the subject, the subject was alleged to have produced a handgun, at which time Officer Saldivar discharged his weapon at the subject.

Detective Guerra inquired on Officer Saldivar's location and was advised that he was in an unmarked unit, parked inside the secured area, along with Sergeant Davis who is a peer support Officer. Sergeant Davis informed him Officer Saldivar had been advised to contact his legal counsel and was doing so. This was done in order to expedite the investigation and clear the crime scene as soon as possible as it encompassed and blocked a public roadway.

Sergeant J. McGill, supervisor for the crime scene unit, advised that Officer Randles was in route to process the scene. Shortly thereafter, Officer Randles arrived, took pictures of the scene, and gained possession of the shell casings located on the ground. The crime scene inside the perimeter of the apartment community (parking lot) was processed by Crime Scene Officer Stephanie Dudley.

While at the scene, Detective Guerra was advised that the subject, who had pointed the guns at Officer Saldivar, had been apprehended. The subject was transported to the location and Officer Saldivar identified him as the subject who had pointed the gun at him. The subject was transferred to the city jail where he was booked and confined.

Upon the arrival of Officer Saldivar's legal counsel, his weapon was taken into possession by the Crime Scene Unit for "Cataloging" purposes and Officer Saldivar was provided with a replacement weapon of the same make and caliber. After all evidence had been gathered and the scene processed, the scene was cleared.

At this time Detective Guerra returned to the police station and received a written statement from Officer Saldivar. After reviewing his written statement, Detective Guerra reviewed the videos from Officer Saldivar's dash and body camera. Detective Guerra then determined, based upon the video, the proximity of the defendant was close enough that if the guns would or could have been discharged and struck Officer Saldivar in the face or eye it would and could have caused serious bodily injury.

Detective Guerra later proceeded to the city jail and escorted the subject, now known as Angel Ramirez, to the Criminal Investigations Division. In a videotaped interview, and after being given his Miranda Warning, Ramirez advised he had committed the theft at Walmart, fled the scene there, and at the time he encountered Officer Saldivar he had a gun in his hand. Ramirez

- 8 -

would not admit to pointing the gun at Officer Saldivar. After interviewing, Ramirez was returned to the city Jail. The Harris County District Attorney's Office, Chief Assistant District Attorney Leitner was contacted and accepted charges of Aggravated Assault on a Police Officer, a First Degree Felony. Therefore, charges were summarily filed and Ramirez was later transferred to the Harris County Jail.

Detective Cooper completed a detective supplement documenting the location of the three rounds found within the complex.

During the course of my investigation, I gathered the following evidence as it became available for review. The following information was learned.

The incident began with the initial theft call at 5200 Fairmont (Walmart) at approximately 03:01 AM. A female was subsequently taken into custody and a male subject (H/M, gry/blk striped jacket, black pants) fled the scene (Case #18-7962). Detective C. McGregor later interviewed the female, Jakeline Najera, and learned the male subject was her cousin, suspect Angel Ramirez. Detective D. Buckert retrieved video footage from Walmart and upon reviewing the video, confirmed the suspect was Angel Ramirez, based upon his clothing, and observed him taking a pellet gun and accessories. These reports are included within this jacket.

A call to Police Dispatch from the resident of 5230 Keith Ave, Eddie Potts, was received at about 4:02 AM. Potts stated a male was ringing her doorbell multiple times and asking to be let in because he was a "stranger" and needed money.

From a recording of the police radio on the morning of the incident, I heard the call of the Suspicious Person dispatched to Officer Powell. Officer Saldivar and Sergeant Hibbs also responded to the call and began coordinating a search of the area. Upon locating him, Officer Saldivar announced the subject was jumping a fence. An unknown Officer then inquired on Saldivar's status, which he responded "shots fired." It was then broadcast, by officers, that two handguns were found and the subject was last seen west and then north through the complex. Saldivar then described the subject, later identified as Ramirez (H/M, curly hair, striped jacket, blk pants).

The remainder of the radio traffic dealt with securing the scene and organizing the search for Ramirez.

I also located Mobile Video Recordings (Dash Cam, Body Cam), which captured the incident. Officer Saldivar's body camera shows the following:

The video begins as Saldivar exits his vehicle and addresses the subject to "come here for a second". He is heard stating, "oh shit, don't do it" before discharging two shots, stepping to the left and discharging two more rounds. Saldivar then advises the subject "show me your hands" while maintaining concealment. Saldivar stays by his patrol unit as additional officers arrived on scene and secured the perimeter. Saldivar approaches the fence and two handguns are observed on the ground inside the apartment complex. He remains by his unit as officers are seen jumping the fence into the complex. Once Sergeant K. Bowman arrives on scene, Saldivar describes the subject and shows her the general area where the subject fled. The video is terminated at the direction of Lieutenant T. Warnke. The video is 16 minutes and 51 seconds in length.

EXHIBIT 36

- 9 -

The dashboard camera shows, in addition, the following:

The video begins with units searching the area of Pansy at Keith. Officer Saldivar's unit travels south on Pansy when the subject (H/M, blk/gry jacket, black pants) can be seen crossing the roadway westbound. As the subject approaches the fence line for the apartment complex, he bends down and throws an unknown object through the fence. The subject jumps the fence, loses his balance as he falls to the other side, and then retrieves a black object with his right hand. The subject is no longer visible on the dash camera as Officer Saldivar approaches the fence. Saldivar is then seen discharging two rounds, stepping to his left, and discharging two more rounds.

The remainder of the dash cam footage shows officers arriving and securing the perimeter. Radio traffic can be heard in the background. The video is 17 minutes and 50 seconds in length.

EVIDENCE

DVD – Body Camera Video
DVD – Dashboard Camera Video
DVD – Angel Ramirez Interview
CD – 911 Call / Radio Traffic, Case #18-7962
CD – 911 Call / Radio Traffic, Case #18-7963
DVD – Crime Scene Photos
DVD – Crime Scene Unit Photos
DVD – Crime Scene Photos / Weapon Charting Video
DVD – FARO Scene Scans



C.A. Hamilton, Sergeant #1122
Internal Affairs



EXHIBIT 36



CITY OF PASADENA POLICE DEPARTMENT



April 16, 2018

Officer R. Saldivar
Employee #5750
Patrol Division

Re: Complainant: Chief of Police A. Espinoza
Allegation: Discharge of a Firearm
Control #1274

Officer Saldivar:

It is alleged that on 03-29-2018, in the 4500 block of Pansy, City of Pasadena, Harris County, Texas, you were involved in a Discharge of a Firearm. The allegation has been categorized as a Class I complaint.

This letter is to serve as notice to you that, at the direction of the Chief of Police, the Office of Internal Affairs will be conducting an investigation into this allegation. Any questions concerning this investigation may be directed to Internal Affairs during normal business hours.

Regards,

A handwritten signature in black ink, appearing to be "C. Hamilton".

Sergeant C. Hamilton
Internal Affairs Division

cc: A. Espinoza, Chief of Police
J. A. Bruegger, Asst. Chief of Police
R. Styron, Asst. Chief of Police
K. Wingerson, Asst. Chief of Police

EXHIBIT 36

COPY

Record of Receipt


Employee: R. Saldivar #5750

Internal Affairs Control Number: 1274

On this date, I acknowledge I received a copy of:

1. Notification of Complaint letter
2. Record of Complaint or Affidavit

I understand this copy serves as my official notification of the investigation and that any questions I may have in regards these documents or the investigation otherwise may be directed to personnel in the Office of Internal Affairs.

 04/16/18 11:50 AM
Signature, date, and time of officer delivering notice

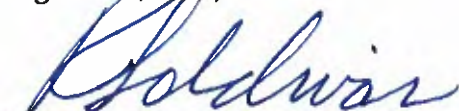
 5750 4/16/18 11:50 AM
Signature, date, and time of officer receiving notice

EXHIBIT 36

PASADENA POLICE DEPARTMENT
RECORD OF COMPLAINT

Report Date: 4/16/2018 Time: 11:00 ☒ AM ☐ PM
 Complainant Received from:
☒ Person ☐ Phone ☐ Letter ☐ Anonymous

INFORMATION FROM : (CIRCLE ONE)

☐ Complainant ☐ Reportee ☐ Witness ☒ Police Officer ☐ Civilian

NAME:

Last: Chief A. Espinoza First: _____ Middle: _____

DOB: _____ Age: _____ Race: _____ Sex: _____ DL#: _____

Social Security Number: _____

ADDRESS: _____ CITY STATE ZIP _____

Residence: _____ Phone: _____

Business: _____ Phone: _____

Was the complainant charged with an offense? ☐ Yes ☐ No
 Charges Filed: _____ Case #: _____

INCIDENT INFORMATION:

Date: 4/16/2018 Time: 04:13 Location: 4500 Pansy

Officer(s) Involved:

Rank:	Name	Emp#	Race/Sex	Assignment	Shift
Officer	Rigoberto Saldivar	5750	Male	Patrol	Nights

ALLEGATIONS: Complainant alleges:**Discharge of a Firearm**

I certify that the person making this complaint has been informed by me that no investigation will be made by this Department regarding this complaint until a signed complaint is received by Internal Affairs within 30 days of the date of this incident.

C. Hamilton	Sergeant	1122
Name	Rank	Employee #

IAD Use ONLY

Date Received: 04/16/18 Control Number: 1274
 Classification: I Allegation(s): DISCHARGE OF A FIREARM

EXHIBIT 36

Detailed History for Police CFS# #180416029 As of 5/03/2018 10:34:03

Output for: 1122

Priority:4 Type:THFTR - Theft Report

**Location:5200 FAIRMONT PKWY, PAS btwn PANSY ST and BELTWAY 8 HWY
Map:577G**

Created:	04/16/2018 03:01:01	CAL2	4046
Entered:	04/16/2018 03:03:01	CAL2	4046
Dispatch:	04/16/2018 03:06:05	DIS1	5258
Enroute:	04/16/2018 03:06:43	DIS1	5258
Onscene:	04/16/2018 03:09:23	DIS2	6760
Transprt:	04/16/2018 03:35:45	DIS1	5258
Complete:	04/16/2018 03:42:01	DIS1	5258
Closed:	04/16/2018 04:02:22	DIS1	5258

**ICUnit: PrimeUnit:3315 Dispo:R
Type:THFTR - Theft Report
Agency:PPD Group:PD1
District:6 Grid:647F
Case #:PD180007962 ☐ Detail**

03:01:01 CREATE	Location:5200 FAIRMONT PKWY, PAS Type:THFTR Name:REAL,JESSIE RAddr:EMPLOYEE Phone:832/830-4769 Group:PD1 Area:647F TypeDesc:Theft Report LocDesc:btwn PANSY ST and BELTWAY 8 HWY	EXHIBIT 36
-----------------	--	-------------------

	Priority:4 Response:1PAT Agency:PPD Map:577G LocType:S
03:03:01 ENTRY	Comment:1 DETAINED / 1 MALE STILL OUTSTANDING LS IN PARKING LOT HM 5"1' GRY/BLK STRIPE JACKET BLACK PANTS // UNKNW AMOUNT TAKEN / CURRENTLY IN LP OFFICE
03:03:01 -PREMIS	Comment:PHS, FHS
03:03:05 SELECT	
03:03:12 HOLD	
03:05:22 NOMORE	
03:06:05 DISP	3315 Emp#:6264 EmpNames:STUBBS,JW
03:06:05 DISP	3303 Emp#:5750 EmpNames:SALDIVAR,RR
03:06:05 -PRIU	3315
03:06:43 ENRTE	3315 3303
03:09:23 BACKOS	3326 Emp#:5225 EmpNames:POWELL,RD
03:11:26 ONSCN	3303
03:12:32 MISC	3326 Plate:DMM4403 Comment:LOG
03:12:39 ONSCN	3315
03:12:55 LOGM	Message:991804160812002266 MessageType:Text Received:04/16/2018 03:12:43 Comment:LOGM
03:24:22 CASE	3315 Case#:PD180007962
03:33:31 *RFT	3315 Name:NAJERA,JAKELINE DOB:19950320 Repeat:Yes
03:35:45 TRANSP	3315 Location:1201 DAVIS ST, PAS Mileage:0.0 Comment:870X 1 FEMALE
03:38:18 CHGLOC	3303 Location:4300 BELTWAY 8 HWY, PAS
03:38:18 PLATE	3303 Plate:HZX5200
03:38:33 LOGM	Message:991804160838002348 MessageType:Text Received:04/16/2018 03:38:24 Comment:LOGM
03:38:48 CLEAR	3303
03:42:01 CMPLT	3315 Mileage:4.9
03:53:31 PRMPT	3326 Comment:Preempted and dispatched to call #180416031
04:02:22 CLEAR	3315 Dispo:R
04:02:22 -CLEAR	
04:02:22 CLOSE	
10:46:06 XREF	Service:P CFS#:#180416033 Type:EVAD Agency:PPD
10:46:06 XREF	Service:P CFS#:#180416035 Type:SUSP Agency:PPD
10:46:19 -PREMIS	Comment:PHS, FHS

CONTACT INFO:

Name	Phone	RPaddr	Contact?	Weapons?	Intox?	Permit#
REAL,JESSICA	832/830-4769	EMPLOYEE				

EXHIBIT 36

18-7962Supplement No
ORIG**Pasadena Police Department**

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
Fax
FAX: (713) 477-4976

Reported Date
04/16/2018
Rpt/Incident Typ
THEFT
Emp#
STUBBS, JW

Administrative Information

Agency Pasadena Police Department	Report No 18-7962	Supplement No ORIG	Reported Date 04/16/2018	Reported Time 03:03
CAD Call No 180416029	Status REPORT - No follow-up Needed			
Rpt/Incident Typ Theft - ALL except Theft of Service				
Address 5200 FAIRMONT PKWY				City PASADENA
ZIP Code 77505	Grid 647F	District E	Beat 06	From Date 04/16/2018
				From Time 03:00
				To Date 04/16/2018
				To Time 03:30
Emp# 6264/STUBBS, JW	Assignment NIGHT SHIFT PATROL		Entered By 6264	
Assignment NIGHT SHIFT PATROL	RMS Transfer Successful	Prop Trans Stat Successful	Approving Officer 0723	
Approval Date 04/17/2018	Approval Time 09:06:05			
# Offenses 1	Offense PM8271	Description CLASS C THEFT	Complaint Type	Cargo?

Person Summary

Invl ARR	Invl No 1	Type I	Name NAJERA, JAKELINE	MNI 208461
Race W	Sex F	DOB [REDACTED]		
Invl SUS	Invl No 1	Type I	Name UNKNOWN	MNI
Race W	Sex M	DOB		
Invl VAB	Invl No 1	Type B	Name WALMART	MNI 353449
Race	Sex	DOB		
Invl WIT	Invl No 1	Type I	Name ;JESSICA	MNI
Race W	Sex F	DOB		

Property Summary

Involvement RRS	Description Article: Other (none of the above) ZZZ t-shirt
Involvement RRS	Description Article: Other (none of the above) ZZZ t-shirt
Involvement RRS	Description Article: Other (none of the above) ZZZ texans tee
Involvement RRS	Description Article: Other (none of the above) ZZZ t-shirt
Involvement RRS	Description Article: Other (none of the above) ZZZ t-shirt

Summary Narrative

The suspect was arrested for shoplifting.

EXHIBIT 36

18-7962

Supplement No
ORIG

Pasadena Police Department

ARRESTEE 1: NAJERA, JAKELINE

Involvement ARRESTEE	Invl No 1	Type Individual							
Name NAJERA, JAKELINE							MNI 208461	Race WHITE	Sex FEMALE
DOB [REDACTED]	Age 23	Ethnicity HISPANIC	Juvenile? No	Height 5'00"	Weight 95#	Hair Color BLACK	Eye Color BROWN	PRN 921980	
Type OTHER	Address [REDACTED]								
City PASADENA	State NEVIS AND ST. CHRISTOPHER 'KITTS'						ZIP Code 77503	Date 05/21/2012	
Type OTHER	Address [REDACTED]								
City PASADENA	State NEVIS AND ST. CHRISTOPHER 'KITTS'						ZIP Code 77503	Date 05/21/2012	
Type OTHER	Address [REDACTED]								
City PASADENA	State TEXAS		ZIP Code 77505	Date 04/26/2013					
Type OTHER	Address [REDACTED]								
City PASADENA	State TEXAS		ZIP Code 77503	Date 04/26/2013					
Type OTHER	Address [REDACTED]								
City PASADENA	State TEXAS		ZIP Code 77503	Date 04/27/2013					
Type OTHER	Address [REDACTED]								
City PASADENA	State TEXAS		ZIP Code 77503	Date 05/08/2013					
Type OTHER	Address [REDACTED]								
City PASADENA	State TEXAS		ZIP Code 77502	Date 05/29/2014					
Type HOME	Address [REDACTED]								
City HOUSTON	State TEXAS		ZIP Code 77060	Date 09/01/2016					
Type HOME	Address [REDACTED]								
City PASADENA	State TEXAS		ZIP Code 77503	Date 12/02/2017					
Type HOME	Address [REDACTED]								
City PASADENA	State TEXAS		ZIP Code 77503	Date 12/02/2017					
Type HOME	Address [REDACTED]								
City PASADENA	State TEXAS		ZIP Code 77506	Date 04/16/2018					
Type FBI NUMBER	[REDACTED]								
Type FBI NUMBER	[REDACTED]								
Type FBI NUMBER	[REDACTED]								
Type FBI NUMBER	ID No USC								
Type FBI NUMBER	ID No USC								
Type OPERATOR DL or ID CARD	[REDACTED]						OLS TEXAS		
Type SID NUMBER **NOT TX ID# CARD OR DL#**	[REDACTED]								
Type SID NUMBER **NOT TX ID# CARD OR DL#**	[REDACTED]								

EXHIBIT 36

18-7962

Supplement No
ORIG

Pasadena Police Department

Type	SID NUMBER **NOT TX ID# CARD OR DL#**				ID No		
Type	SOCIAL SECURITY NUMBER				ID No		
Phone Type	Phone No	Date	Phone Type	Phone No			
HOME		07/14/2009	CELL				
Date	Phone Type	Phone No	Date	Phone Type			
07/24/2009	OTHER		08/26/2011	CELL			
Phone No	Date	Phone Type	Phone No	Date			
	05/21/2012	CELL		05/08/2013			
Phone Type	Phone No	Date	Phone Type	Phone No			
CELL		05/29/2014	CELL				
Date	Phone Type	Phone No	Date	Phone Type			
12/02/2017	HOME		12/02/2017	CELL			
Phone No	Date						
	04/16/2018						
Alias Name	NAJERA, JAKELINE				Race	Sex	DOB
					WHITE	FEMALE	
Alias Name	NAKERA, JACQUELINE				Race	Sex	DOB
					WHITE	FEMALE	
Mark Type	BACK - TATTOO			Mark Code	TATTOO		
Description	WINGS, "NATALIE"						
Mark Type	ARM, LEFT, NONSPECIFIC - TATTOO			Mark Code	TATTOO		
Description	"DAVID"						
Mark Type	WRIST, LEFT - TATTOO			Mark Code	TATTOO		
Description	"ISABEL"						
Mark Type	NECK - TATTOO			Mark Code	TATTOO		
Description	"EDUARDO"						
Mark Type	WRIST, RIGHT - TATTOO			Mark Code	TATTOO		
Description	"ANTONIO"						
Involvement	Arrest Type	Arrest Date	Arrest Time	Booking No	Book Date		
ARRESTED	ARRESTED (ONVIEW OR PC)	04/16/2018	03:30:00	18-5201	04/16/2018		
Book Time	Status	Dispo					
03:51:00	BOOKED	MISDEMEANOR					
Arrest Location	5200 FAIRMONT PKWY					City	
						PASADENA	
Place of Birth	City of Birth						
TEXAS	GALVESTON						
Charge	MIS/FEL	Charge Literal					
PM8271	MC	CLASS C THEFT					
SUSPECT 1: UNKNOWN							
Involvement	Invl No	Type	Name				
SUSPECT	1	Individual	UNKNOWN				
Race	Sex	PRN					
WHITE	MALE	921981					
VICTIM (BUSINESS) 1: WALMART							
Involvement	Invl No	Type					
VICTIM (BUSINESS)	1	Business					
Name	MNI	PRN					
WALMART	353449	921982					
Type	Address						
WORK/BUSINESS	5200 FAIRMONT PKWY						
City	State	Zip Code	Date				
PASADENA	TEXAS	77505	04/16/2018				
Phone Type	Phone No	Date					
BUSINESS	(281) 998-1077	04/16/2018					
Report Officer	Printed At						
6264/STUBBS, JW	05/03/2018 10:25		Page 3 of 5				

EXHIBIT 36

18-7962

Supplement No
ORIG

Pasadena Police Department

WITNESS 1: JESSICA

Involvement	Invl No	Type	Name
WITNESS 1	1	Individual	JESSICA
Race	Sex	PRN	
WHITE	FEMALE	921983	
Type	Address		
WORK/BUSINESS	5200 FAIRMONT PKWY		
City	State	ZIP Code	Date
PASADENA	TEXAS	77505	04/16/2018
Phone Type	Phone No	Date	
BUSINESS	(281) 998-1077	04/16/2018	

Property

Prop #	Involvement	Invl Date	In Custody?	Security	Value
1	RECOVERED AND RELEASED AT SCENE	04/16/2018	No	No	\$24.96
# Pieces	Description	Type			
1	t-shirt	A			
Cat	Article	Rcv Date			
Other (none of the above)	Unlisted Miscellaneous Item	04/16/2018			
Recv Value	Entered Date	Entered Time	RMS Transfer	Control	
\$24.96	04/16/2018	04:10	Successful	0723	0417180907
Prop #	Involvement	Invl Date	In Custody?	Security	Value
2	RECOVERED AND RELEASED AT SCENE	04/16/2018	No	No	\$9.00
# Pieces	Description	Type			
1	t-shirt	A			
Cat	Article	Rcv Date			
Other (none of the above)	Unlisted Miscellaneous Item	04/16/2018			
Recv Value	Entered Date	Entered Time	RMS Transfer	Control	
\$9.00	04/16/2018	11:27	Successful	0723	0417180907
Prop #	Involvement	Invl Date	In Custody?	Security	Value
3	RECOVERED AND RELEASED AT SCENE	04/16/2018	No	No	\$15.00
# Pieces	Description	Type			
1	texans tee	A			
Cat	Article	Rcv Date			
Other (none of the above)	Unlisted Miscellaneous Item	04/16/2018			
Recv Value	Entered Date	Entered Time	RMS Transfer	Control	
\$15.00	04/16/2018	11:27	Successful	0723	0417180907
Prop #	Involvement	Invl Date	In Custody?	Security	Value
4	RECOVERED AND RELEASED AT SCENE	04/16/2018	No	No	\$16.47
# Pieces	Description	Type			
4	t-shirt	A			
Cat	Article	Rcv Date			
Other (none of the above)	Unlisted Miscellaneous Item	04/16/2018			
Recv Value	Entered Date	Entered Time	RMS Transfer	Control	
\$16.47	04/16/2018	11:27	Successful	0723	0417180907
Prop #	Involvement	Invl Date	In Custody?	Security	Value
5	RECOVERED AND RELEASED AT SCENE	04/16/2018	No	No	\$19.96
# Pieces	Description	Type			
5	t-shirt	A			
Cat	Article	Rcv Date			
Other (none of the above)	Unlisted Miscellaneous Item	04/16/2018			
Recv Value	Entered Date	Entered Time	RMS Transfer	Control	
\$19.96	04/16/2018	11:28	Successful	0723	0417180907

Modus Operandi

Premise Type	Theft Type	Crime Code(s)
DEPARTMENT STORE	SHOPLIFTING	THEFT

Narrative

Scene Summary: 5200 Fairmont is the location of a business known as Wal-Mart. The building is located on the south side of the roadway and faces north. The entry/exit points of the building are also located on the north wall. Inside the building near the entry/exit points are several points of sale, of which a few were staffed and open for transactions. To the south of the points of sale are multiple departments for clothing, housewares, electronics and grocery.

Details: I was dispatched to the above location in reference to a theft. Upon arrival I contacted the witness, Jessica, who is employed at the business. Jessica stated that she and other employees observed the suspect,

Report Officer	Printed At
6264/STUBBS, JW	05/03/2018 10:25

Pasadena 1262

CONFIDENTIAL

EXHIBIT 36

18-7962Supplement No
ORIG**Pasadena Police Department****Narrative**

Jakelin Najera, and an unknown male suspect acting strange then select clothing items from the Men's clothing department and conceal them inside of their own clothing. Jessica continued, stating that she observed both of the suspects walk past all points of sale and exit the building without attempting to purchase the items.

Jessica contacted the suspects outside of the store and requested both suspects come back inside the store and wait for police to arrive. The unknown male suspect continued walking away being uncooperative, however the female suspect, Jakelin Najera, returned inside the store and revealed that she had five T-shirts concealed inside of her jacket.

Najera was then escorted to the loss prevention office where she was issued a criminal trespass warning for Wal-Mart and all of it's properties. The total of the five shirts shoplifted by Najera came out to be \$85.39 USD. I then asked Najera where the male suspect, who she stated was her cousin, had gone to. Najera stated that he "just went walking" and that she did not know where he was heading. I then placed Najera in the back seat of my patrol vehicle and transported her to the Pasadena City Jail where she was booked and confined for Class C Theft.

It was later found by Det. Buckert that Najera had a prior theft conviction and he contacted the Harris County District Attorney's Office in efforts to obtain a Class B theft charge against Najera.

It is unknown what, if any items were shoplifted by the unknown male suspect. There is video footage of this incident however at the time of this investigation the video footage was unable to be accessed/copied by employees including the manager.

No further action.

Stubbs, J. #6264

EXHIBIT 36

18-7962Supplement No
0001**Pasadena Police Department**

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
Fax
FAX: (713) 477-4976

Reported Date
04/16/2018
Rpt/Incident Typ
THEFT
Emp#
MACGREGOR, CA

Administrative Information

Agency Pasadena Police Department	Report No 18-7962	Supplement No 0001	Reported Date 04/16/2018	Reported Time 08:43
CAD Call No 180416029	Status REPORT - No follow-up Needed			
Rpt/Incident Typ Theft - ALL except Theft of Service				
Address 5200 FAIRMONT PKWY				City PASADENA
ZIP Code 77505	Grid 647F	District E	Beat 06	From Date 04/16/2018
				From Time 03:00
				To Date 04/16/2018
				To Time 03:30
Emp# 4150/MACGREGOR, CA	Assignment PERSON CRIMES (DETECTIVES)			Entered By 4150
Assignment PERSON CRIMES (DETECTIVES)	RMS Transfer Supplement Transfer Complete			Prop Trans Stat Successful
Approving Officer 5535	Approval Date 04/25/2018	Approval Time 09:36:07		

Summary Narrative

Detective supplement to the original.

Property

Prop # 1	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007962	Item No 1
Description video recorded statement of Jakeline Najera						Type A
Cat Radio, TV, and sound entertainment devices						
Article Audio/Laser Compact Disc (CD)/DVD				Entered Date 04/16/2018	Entered Time 09:43	RMS Transfer Successful
Control 5535 0425180936						

Narrative

On April 16, 2018 at approximately 6:44 A.M.; I received a cell phone call from Det. M. Cooper of the Person Crimes Division advising me that he was currently on scene investigating an Officer Involved Shooting and requested my assistance with interviewing a female subject who was currently in our jail. Det. Cooper explained that the female in question was with the suspect prior to the shooting incident and wanted me to ascertain the identity of the suspect as the suspect was still being sought after.

I then walked down to the Pasadena City Jail where I met and escorted subject Jakeline Najera to the Criminal Investigations Division where she was placed in an interview room for statement purposes. The following is a summary of Jakeline Najera's video recorded statement. Prior to interviewing Jakeline, I read to Jakeline her statutory warning to which she acknowledged and agreed to speak with me without counsel present:

Jakeline stated that her full name was Jakeline Najera and that her date of birth was [REDACTED]. Jakeline stated that her Social Security # was [REDACTED] and that she currently resided with her mother at [REDACTED] in the city limits of Pasadena. Jakeline admitted that she was currently on probation for a previous DWI arrest and was wearing an ankle monitor.

In reference to the events leading up to her arrest for shoplifting at the Walmart Super Center (5200 Fairmont), Jakeline explained that she and cousin, Angel Ramirez unk DOB, were driven to the Walmart by Jakeline's mother in order for Angel to purchase unknown items from the Walmart. Jakeline advised that she waited in her mother's vehicle while Angel went into the store, however, after waiting an extended period of time, Jakeline also went into the Walmart and Jakeline's mother left from the location. Jakeline stated that after entering the store, Jakeline

Report Officer
4150/MACGREGOR, CA

Printed At
Pasadena 04/26/2018 10:25

CONFIDENTIAL

EXHIBIT 36

18-7962

Supplement No
0001**Pasadena Police Department****Narrative**

couldn't initially locate Angel, therefore, Jakeline selected "three to four Astros t-shirts" and called Angel on his cell phone to ascertain his location. Jakeline advised that she and Angel met up near the exit of the store at which time Jakeline concealed the selected t-shirts in her sweater and exited the store with Angel. Jakeline stated that the security alarm then sounded as she exited the store resulting in a loss prevention officer stopping her and Angel outside the store. Jakeline explained that as she was being detained, Angel removed a small box from somewhere on his person and handed it to the loss prevention agent stating, "here is your stuff". Angel then continued walking away from the store despite repeated requests from the loss prevention agent to stop.

I inquired from Jakeline as to she and Angel's intent in going to the Walmart. Jakeline stated that she assumed her cousin was going to shoplift but didn't know for sure has their grandmother would provide Angel with money periodically. Jakeline denied that her original intent was to shoplift from the Walmart and that her selecting of the merchandise that she eventually attempted to shoplift was an impulse decision.

I inquired from Jakeline as to how she and Angel were going to get back to her mother's apartment from Fairmont since the distance between the two points was a significant distance. Jakeline stated that it was a short walk from her mother's apartment to the Walmart since it was down the street. I asked Jakeline as to how she considered the distance a short walk to which Jakeline stated that they had been dropped off at the Walmart on Southmore.

It should be noted that Jakeline appeared to be under the influence of unknown substances based on her lack of recall and rhetoric during my questioning of her, however, Jakeline denied being under the influence of any substances.

It should be further noted that initially when questioned as to how she and Angel arrived to the Walmart, Jakeline stated that a neighbor of her mother's had dropped she and Angel off at the Walmart and that she and Angel both went into the Walmart together and went their separate ways while in the store to later return at the exit with shoplifted items. Further questioning resulted in Jakeline changing her story to that of being driven to said location by her mother and Jakeline remaining in the vehicle prior to entering the store.

During the interview, I displayed to Jakeline a video surveillance snap shot of a subject that had been obtained from a residence that Angel had run to after the shoplifting. The snap shot was sent to my cell phone by Det. Cooper prior to my interview with Jakeline. In displaying the photo to Jakeline, Jakeline identified the subject depicted in the photo as her cousin Angel.

It should be noted that Det. Cooper was investigating an officer involved shooting involving Angel while I was conducting my interview with Jakeline (PPD case #2018-7963).

I questioned Jakeline as to what time she and Angel had been driven to the Walmart by her mother. Jakeline stated that it was sometime after midnight. I questioned Jakeline as to why her mother would take she and her cousin to the Walmart at such a late time to only drop them off. Jakeline stated that she didn't know why since her mother had to be at work at 10:00 A.M., however, Jakeline stated that her mother would be up later on her cell phone looking at social media.

I inquired from Jakeline as to where Angel lived. Jakeline stated that her cousin Angel lived on the north side of Houston in the Greenspoint area and that Angel would come to visit periodically. I questioned Jakeline if Angel had a vehicle and if not, how did he arrive to her mother's apartment. Jakeline explained that Angel did not have a car and had been dropped off at the apartment sometime on Sunday by either Angel's father or brother. Jakeline admitted that she did not see who dropped Angel off at the apartment and only assumed that it was Angel's father or brother.

I inquired from Jakeline if she knew if Angel had in his possession any firearms, either fake or real, prior to going to the Walmart or if Angel had shoplifted any such items. Jakeline advised that she wasn't aware if Angel possessed any firearms and was not aware that he had shoplifted any such items. Jakeline advised that it was her assumption that Angel had shoplifted electronic type merchandise based on the size of the box that he returned to the loss prevention officer but was not sure.

In reference to any recent drug use by Jakeline, I questioned Jakeline further based on her lack of recall as to which Walmart she had been dropped off at as well as her inconsistencies in her recollection of the events being

EXHIBIT 36

18-7962Supplement No
0001**Pasadena Police Department****Narrative**

investigated. Jakeline reiterated that she had not taken any medication in several months despite suffering from a multitude of mental ailments.

This concludes the summary of Jakeline Najera's video recorded statement. The statement would transferred to DVD, the original later logged into the property room as evidence by this detective, and two copies provided to Det. Guerra for case purposes as Det. Guerra would be lead investigator for this case.

Jakeline was then escorted back to the city jail where she was released to jail personnel.

Upon returning to the Criminal Investigations Division, I spoke with Det. Guerra and requested his assistance in speaking with Jakeline's mother as I was informed by jail personnel that Jakeline's mother, Maria Isabella Najera, spoke only Spanish. I explained to Det. Guerra that I wanted to verify if Isabella had in fact dropped Jakeline and Agnel off at the Walmart.

Det. Guerra then spoke with Isabella via telephone and inquired as to her taking Jakeline and Angel to a Walmart and in doing such, Isabella informed Det. Guerra that she did not take either subject to a Walmart and did not know anything about the incident until observing the incident on the news.

No further action taken by this detective.

C.A. MacGregor #4150

EXHIBIT 36

Pasadena Police Department

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
Fax
FAX: (713) 477-4976

18-7962
DRAFT

Supplement No
0002

Reported Date
04/18/2018
Rpt/Incident Typ
THEFT
Emp#
BUCKERT, D

Administrative Information

Agency Pasadena Police Department	Report No 18-7962	Supplement No 0002	Reported Date 04/18/2018	Reported Time 09:59
CAD Call No 180416029	Status REPORT - No follow-up Needed			
Rpt/Incident Typ Theft - ALL except Theft of Service				
Address 5200 FAIRMONT PKWY				City PASADENA
ZIP Code 77505	Grid 647F	District E	Beat 06	From Date 04/16/2018
				From Time 03:00
				To Date 04/16/2018
				To Time 03:30
Emp# 0745/BUCKERT, D		Assignment PROPERTY CRIMES (DETECTIVES)		
Entered By 0745	Assignment PROPERTY CRIMES (DETECTIVES)	Prop Trans Stat Pending	Approving Officer	
Approval Date	Approval Time			

Summary Narrative**Detective Supplement****SUSPECT 1: NAJERA, JAKELINE**

Involvement SUSPECT	Inv No 1	Type Individual	Name NAJERA, JAKELINE							
MNI 208461	Race WHITE	Sex FEMALE	DOB [REDACTED]	Age 23	Juvenile? No	Height 5'00"	Weight 95#	Hair Color BLACK	Eye Color BROWN	
Type FBI NUMBER	ID No [REDACTED]									
Type FBI NUMBER	ID No [REDACTED]									
Type FBI NUMBER	ID No USC									
Type OPERATOR DL or ID CARD	ID No [REDACTED]				OLS TEXAS					
Type SID NUMBER **NOT TX ID# CARD OR DL#**	ID No [REDACTED]									
Type SID NUMBER **NOT TX ID# CARD OR DL#**	ID No [REDACTED]									
Type SOCIAL SECURITY NUMBER	ID No [REDACTED]									

SUSPECT 2: RAMIREZ, ANGEL

Involvement SUSPECT	Inv No 2	Type Individual	Name RAMIREZ, ANGEL							
MNI 234592	Race WHITE	Sex MALE	DOB [REDACTED]	Age 18	Juvenile? No	Height 5'05"	Weight 120#	Hair Color BROWN	Eye Color BROWN	
Type FBI NUMBER	ID No J2MFCDD5K									
Type SID NUMBER **NOT TX ID# CARD OR DL#**	ID No [REDACTED]									

EXHIBIT 36

18-7962
DRAFTSupplement No
0002**Pasadena Police Department****Property**

Prop # 1	Involvement EVIDENCE	Invt Date 04/18/2018	In Custody? Yes	Security No	Property Tag 180007962	Item No 2
Description cd w/ walmart photos						Typ A
Cat Radio, TV, and sound entertainment devices						
Article Audio/Laser Compact Disc (CD)/DVD				Entered Date 04/18/2018	Entered Time 10:18	Control 0745 0418181019
Prop # 2	Involvement EVIDENCE	Invt Date 04/18/2018	In Custody? Yes	Security No	Property Tag 180007962	Item No 3
Description dvd w/ walmart video						Typ A
Cat Radio, TV, and sound entertainment devices						
Article Audio/Laser Compact Disc (CD)/DVD				Entered Date 04/18/2018	Entered Time 10:19	Control 0745 0418181019
Prop # 3	Involvement EVIDENCE	Invt Date 04/18/2018	In Custody? Yes	Security No	Property Tag 180007962	Item No 4
Description crossman pellet gun box						Typ A
Cat Other (none of the above)			Article Unlisted Miscellaneous Item			Entered Date 04/18/2018
Control 0745 0418181020			Entered Time 10:19			

Narrative**Details:**

On April 16th, 2018 I was contacted by Sgt. Norman who requested my assistance with this theft investigation. I was informed that the female arrested in this case, Jakeline Najera was accompanied at the Walmart by a male suspect that had fled the scene when confronted by Wal-Mart employees. A short time later a male matching the suspect's description was located by Officer Saldivar, just south of the Wal-Mart in the 4500 block of Pansy. Upon locating the suspect, an officer involved shooting occurred and the suspect fled the area. The suspect was later located and identified as Angel Ramirez (w/m [REDACTED]). At the scene of the shooting three pellet guns were recovered after being dropped by Ramirez. See PPD case #2018-7963 for additional details.

Detective Macgregor conducted a custodial interview of Jakeline Najera who admitted to stealing several t-shirts from Wal-Mart. Jakeline identified the male that was with her at Wal-Mart as Angel Ramirez who is her cousin. See Detective Macgregor's supplement for further details.

I then contacted Wal-Mart Loss Prevention manager Alan Shann who provided me with video surveillance footage of Angel Ramirez and Jakeline Najera inside the Wal-Mart. The video shows Ramirez walk to the hunting section of the store and selecting a pellet gun. Ramirez walks to the tool isle where he attempts to remove the security device from the pellet gun. Ramirez conceals the pellet gun inside of his black and white striped jacket and makes several additional trips to the hunting section of the store. It is possible that Ramirez took more than one pellet gun as he is seen walking out of camera view several times with multiple items in his hands.

The video then shows Ramirez and Najera exiting the store without payment for the items concealed on their person and setting off the security sensors. Wal-Mart employees confront the two outside of the grocery entrance and Ramirez can be seen walking off southbound on the east side of the store, towards Keith and Pansy Streets.

After reviewing the video footage, I responded to the Wal-Mart and contacted customer service employee Jessica Leal (w/f [REDACTED]) who had confronted Ramirez and Najera earlier that morning. Leal advised she had observed Ramirez and Najera acting suspiciously while walking around the store. Leal watched as Ramirez and Najera exited the store without purchasing anything and set off the security sensors at the grocery side exit door. Leal along with additional employees confronted Ramirez and Najera outside of the store at which time Najera produced five sports team shirts valued at \$85.39 that were concealed on her person. According to Leal Ramirez produced a car charger from his pocket, but refused to come back into the store and walked off as she called Police. Leal stated it appeared Ramirez still had several items underneath his jacket as he fled the scene.

While at the Wal-Mart I surveyed the pellet guns section and found an opened Crossman "P10" pellet gun box. The box was torn on one corner with the pellet gun missing and the security sensor still wrapped around the box. I

Report Officer
0745/BUCKERT, DPrinted At
05/03/2018 10:26
Pasadena 1268**CONFIDENTIAL****EXHIBIT 36**

18-7962
DRAFTSupplement No
0002**Pasadena Police Department****Narrative**

also photographed additional revolver style pellet guns on the shelves that matched the description of those recovered at the scene of the shooting.

The opened pellet gun box and photographs were later logged as evidence in this case.

A receipt was also obtained from Wal-Mart showing detailed pricing for the five shirts stolen by Jakeline Najera. The pricing on the stolen shirts is as follows:

Team shirt \$24.96
Team shirt \$9.00
Texans shirt \$15.00
Team shirt \$16.47
Team shirt \$19.96

Jakeline Najera's theft total was determined to be \$85.39. A review of Officer Stubbs original offense report found Jakeline was currently booked into the Pasadena City Jail for Class C Theft.

An inquiry of Jakeline's criminal history showed she had a previous theft conviction out of Harris County. Jakeline's prior conviction was for Theft \$50-\$500, in Harris County Court #14, cause #1829188, with a conviction date of 4-29-13.

Presentation to DA

Due to Jakeline's previous conviction for theft, A.D.A. Petroff was contacted and advised of the facts and findings of this investigation. A.D.A. Petroff accepted a charge of Class B Theft on Jakeline Najera due to her previous theft conviction.

Charging of Suspect

Prior to filing the charge on Jakeline, I was contacted by PPD jail staff and informed that Jakeline had fallen off her bunk in the jail and sustained a cut that required medical attention. It was determined that Jakeline would be transported to Bayshore Hospital for treatment at which time she was released from police custody with the intention to file a to-be warrant for her arrest at a later date.

On 4-18-17, charges on Jakeline Najera were filed through DIMs Transaction #2436670 and a to-be warrant completed for her arrest.

It should be noted that no theft charges were sought on Angel Ramirez due to him being charged by Detective Guerra with Aggravated Assault under PPD Case #18-7963

Charge Information

Suspect: Najera, Jakeline
Charge: Theft \$100-\$750
Cause #:
Court: Harris County Criminal Court #
Bond: \$

Case Status

This case is cleared by arrest.

D. Buckert #0745

Property Crimes Division

EXHIBIT 36

Detailed History for Police CFS# #180416033 As of 4/26/2018 09:47:37

Output for: 1122

Priority:2 Type:EVAD - Evading Arrest

Location:5230 KEITH, PAS btwn MIZE RD and END

Map:577G

Created:	04/16/2018 04:02:51	CAL2	4046
Entered:	04/16/2018 04:04:28	CAL2	4046
Dispatch:	04/16/2018 04:06:17	DIS1	5258
Enroute:	04/16/2018 04:06:47	DIS1	5258
Onscene:	04/16/2018 04:07:48	DIS1	5258
Transprt:	04/16/2018 07:40:10	DIS1	0335
Complete:	04/16/2018 07:53:47	DIS2	6881
Closed:	04/16/2018 09:44:28	DIS2	6881

ICUnit: PrimeUnit:3326 Dispo:R

Type:EVAD - Evading Arrest

Agency:PPD Group:PD1

District:6 Grid:651F

Case #:PD180007963 ☐ Detail

04:02:51 CREATE	Location:5230 KEITH, PAS Type:SUSP Name:POTTS,EDDIE Phone:713/417-1248 Group:PD1 Area:651F TypeDesc:SusPerson LocDesc:btwn MIZE RD and END Priority:4 Response:2PAT Agency:PPD Map:577G LocType:S
04:04:28 ENTRY	Comment:UNKNW MALE RINGING RPTES DOOR BELL / MALE STATED "OPEN THE DOOR", RPTED ASKED WHO IT WAS AND HE STATED "ITS A STRANGER,

EXHIBIT 36

	OPEN UP"
04:04:28 -NPREMS	Comment:(none)
04:04:59 INFO	Comment:UNKNWN IF MALE IS STILL OUTSIDE, RPTE AFRAID TO LOOK
04:05:36 INFO	Comment:RPTE IS CURRENTLY IN HER BEDROOM / WILL STAY ON THE PHONE WITH RPTE UNTIL OFC ARRIVES
04:05:53 SELECT	
04:06:17 DISP	<u>3303</u> Emp#:5750 EmpNames:SALDIVAR,RR
04:06:17 DISP	<u>3326</u> Emp#:5225 EmpNames:POWELL,RD
04:06:17 -PRIU	<u>3303</u>
04:06:47 BACKER	<u>334</u> UnitID:3303 Location:5230 KEITH, PAS Emp#:3270 EmpNames:HIBBS,JM
04:06:50 ENRTE	<u>3303</u> <u>3326</u>
04:07:48 ONSCN	<u>3326</u>
04:07:49 ONSCN	<u>334</u>
04:08:30 ONSCN	<u>3303</u>
04:10:21 NOMORE	
04:18:59 MISC	Comment:HOLDING TRAFFIC ON CH ONE
04:19:10 CLOS	<u>3303</u> <u>334</u> <u>3326</u> Location:4600 PANSY ST, PAS
04:19:13 CLOS	<u>3303</u> Location:4600 PANSY ST, PAS
04:19:22 CLOS	<u>3303</u> Location:4600 PANSY ST, PAS Comment:SHOTS FIRED
04:19:27 BACKER	<u>3340</u> UnitID:3326 Location:4600 PANSY ST, PAS Emp#:4044 EmpNames:LOGAN,RJ
04:19:58 MISC	Comment:2 GUNS IN THE PARKIN GLOT
04:19:59 MISC	<u>3326</u> Comment:2 GUNS IN THE PARKING LOT
04:20:05 MISC	Comment:3303 NOT HIT
04:20:15 MISC	Comment:MALE RAN WB THEN NORTH TOWARDS 5045 CRENSHAW
04:20:19 MISC	<u>3303</u> Comment:RAN WB // GOING NORTH TOWARDS THE COMPLEX
04:20:50 BACKOS	<u>3346</u> UnitID:3326 Location:4600 PANSY ST, PAS Emp#:4170 EmpNames:MAC,YUCHEN
04:20:50 BACKOS	<u>3339</u> UnitID:3326 Location:4600 PANSY ST, PAS Emp#:2800 EmpNames:GONZALEZ,VJ
04:20:50 BACKOS	<u>3341</u> UnitID:3326 Location:4600 PANSY ST, PAS Emp#:3422 EmpNames:HOWARD,LW
04:20:50 BACKOS	<u>3317</u> UnitID:3326 Location:4600 PANSY ST, PAS Emp#:0020 EmpNames:AARON,DJ
04:20:50 BACKOS	<u>425</u> UnitID:3326 Location:4600 PANSY ST, PAS Emp#:0460 EmpNames:BENGE,SB
04:21:16 MISC	<u>3303</u> Comment:HM BLK/WHT PANTS BLK PANTS
04:21:17 MISC	Comment:HM BLK PANTS BLK/WHO JACKET CURLY HAIR MEDIUM FRAME
04:21:24 MISC	Comment:POSSIBLY LAID OUT IN THE COMPLEX
04:21:31 CLOS	<u>425</u> <u>3317</u> Location:CRENSHAW
04:21:40 BACKER	<u>424</u> UnitID:3340 Location:4600 PANSY ST, PAS Emp#:3475 EmpNames:HURST,NJ
04:21:48 ONSCN	<u>3340</u>
04:22:34 BACKOS	<u>3413</u> UnitID:3346 Location:4600 PANSY ST, PAS Emp#:5795 0673 EmpNames:SANCHEZ,A; BRINKER,ME
04:22:39 CLOS	<u>3413</u> Location:PANSY ST/KEITH AVE, PAS
04:23:11 CLOS	<u>3340</u> Location:WEST FENCELINE OF COMPLEX

EXHIBIT 36

04:23:12 MISC	3340 Comment:ALONG WEST FENCE LINE OT COMPLEX
04:24:55 BACKOS	3407 Location:5045 CRENSHAW RD, PAS Emp#:5967 0400 4140 EmpNames:SHUMAN,BT; BAUM, J; LUDEKE,MV II
04:24:55 BACKOS	3337 UnitID:3339 Location:4600 PANSY ST, PAS Emp#:2595 EmpNames:GARRETT,JK
04:25:51 MISC	Comment:POSSIBLY DUCKED DOWN ON EAST SIDE OF THE COMPLEX BETWEEN CARS
04:26:10 CLOS	425 Location:EASTSIDE OF COMPLEX
04:26:20 BACKOS	420 Emp#:5427 EmpNames:RIDINGS,JL
04:26:24 CLOS	425 Location:EASTSIDE OF COMPLEX/PANSY
04:26:27 CLOS	420 Location:5045 CRENSHAW RD, PAS
04:27:12 MISC	424 Comment:AT THE 6 BUILDING
04:27:17 ONSCN	424
04:27:24 CLOS	424 Location:#6 BLDG
04:29:45 MISC	424 Comment:WHITE TRUCK LEAVING COMPLEX
04:30:11 BACKOS	303 Emp#:6780 EmpNames:WARNKE,TM
04:31:26 LOGM	Message:991804160931002507 MessageType:Text Received:04/16/2018 04:31:06 Comment:INSURANCE CONFIRMED
04:32:45 LOGM	3340 Message:991804160932002510 MessageType:Text Received:04/16/2018 04:31:42 Comment:LOGM
04:34:31 CLOS	3341 3346 3413 Location:NE SIDE OF FENCELINE
04:34:43 CLOS	3339 3340 Location:MAIN ENTRY OF COMPLEX
04:35:45 CASE	3303 Case#:PD180007963
04:41:19 CLOS	424 Location:NE CORNER INSIDE COMPLEX NEAR BLDG#6
04:42:50 MISC	3340 Plate:HMW4681 Comment:LOG
04:43:04 LOGM	Message:991804160943002523 MessageType:Text Received:04/16/2018 04:42:55 Comment:LOGM
04:44:55 MISC	424 Comment:SUSPECT EITHER WENT NORTH OR WEST OF LOCATION /
04:46:28 BACKOS	332 UnitID:303 Location:5230 KEITH, PAS Emp#:0628 EmpNames:BOWMAN,KM
04:50:26 MISC	Comment:MOVING UNITS TO TAC 5
04:53:12 BACKOS	3328 UnitID:3317 Location:CRENSHAW Emp#:0410 EmpNames:BEAROR,DA
04:53:18 *RI	3346
04:55:20 BACKOS	323 UnitID:3317 Location:CRENSHAW Emp#:5090 EmpNames:PEEPLES,JM
04:55:55 MISC	425 Comment:K9 ON THE GROUND
05:02:26 MISC	Comment:K9 TRACKING SB INSIDE COMPLEX ALONG THE WEST FENCELINE
05:09:12 MISC	Comment:K9 TURNED BACK AROUND HEADING NORTH
05:11:12 BACKER	105 Emp#:2906 EmpNames:GUERRA,R
05:11:12 BACKER	219 Emp#:5306 EmpNames:RANDLES,WF
05:12:36 MISC	Comment:212 NOTIFIED AS ID BACK UP
05:21:04 CHGLOC	105 Location:5045 CRENSHAW RD, PAS
05:22:30 BACKER	108 UnitID:3407 Location:5045 CRENSHAW RD, PAS Emp#:1253 EmpNames:COOPER,MD
05:22:40 MISC	Comment:K9 DONE TRACKING // RELEASING PERIMETER
05:25:38 *RFT	3346 Plate:43V3100
05:25:39 *CLEAR	3407
05:26:38 *CLEAR	3339
05:26:49 CLEAR	3346

EXHIBIT 36

05:28:35 *CLEAR	<u>3317</u>
05:29:42 *RFT	<u>3340</u> Plate:FKX9686
05:32:45 ONSCN	<u>108</u>
05:33:03 *CLEAR	<u>3413</u>
05:36:30 *CLEAR	<u>425</u>
05:37:21 ONSCN	<u>105</u>
05:44:27 *CLEAR	<u>3340</u>
05:50:29 PRMPT	<u>420</u> Comment:Preempted and dispatched to call #180416035
05:54:23 PRMPT	<u>3326</u> Comment:Preempted and dispatched to call #180416035
05:54:38 PRMPT	<u>424</u> Comment:Preempted and dispatched to call #180416035
05:57:47 XREF	Service:P CFS#:#180416035 Type:SUSP Agency:PPD
05:58:14 ONSCN	<u>219</u>
06:03:23 *CLEAR	<u>3341</u>
06:05:23 BACKER	<u>3418</u> Emp#:3325 EmpNames:HINOJOSA,JM
06:05:29 BACKER	<u>3113</u> Emp#:0155 EmpNames:ANDERSON,RJ
06:08:25 MISC	Comment:JACKET THAT WAS LOCATED ..IS NOT THE JACKET FROM SUSPECT
06:09:55 BACKER	<u>126</u> UnitID:3303 Location:J C PENNEY Emp#:1740 EmpNames:DOLLAGARAY,ER
06:10:09 CHGLOC	<u>3418</u> Location:WALMART AREA
06:10:57 CLOS	<u>126</u> Location:5120 FAIRMONT PKWY, PAS Comment:JC PENNEY PARKING LOT
06:12:29 BACKER	<u>3115</u> UnitID:105 Location:NB SIDE Emp#:6500 EmpNames:TURPIN,MS
06:12:50 CHGLOC	<u>3113</u> Location:SB SIDE PANSY
06:12:56 CHGLOC	<u>3115</u> Location:NB SIDE PANSY
06:15:46 *ONSCN	<u>3115</u>
06:16:15 MISC	<u>334</u> Comment:LOCATED A "3RD" HANDGUN @ 5102 KEITH
06:16:20 CLOS	<u>334</u> Location:5102 KEITH AVE, PAS
06:16:31 CLOS	<u>3328</u> Location:5102 KEITH AVE, PAS
06:17:09 CLOS	<u>3113</u> Location:PANSY ST/KEITH AVE, PAS
06:28:55 BACKOS	<u>313</u> UnitID:3113 Location:PANSY Emp#:6015 EmpNames:SKRIPKA,SS
06:29:08 MISC	Comment:BONDY AND TURNER SCHOOLS CLOSED FOR NOW / NOT LETTING KIDS IN
06:29:55 BACKER	<u>3127</u> UnitID:3113 Location:PANSY ST/KEITH AVE, PAS Emp#:5057 EmpNames:PAGE,EJ
06:32:01 BACKER	<u>3141</u> UnitID:3115 Location:NB CRENSHAW/PANSY AT LIGHT Emp#:1025 EmpNames:CASTRO,RA
06:34:38 ONSCN	<u>3127</u>
06:36:24 MISC	Comment:DA OFFICE NOT RESPONDING
06:49:14 CLEAR	<u>303</u>
06:50:42 *ONSCN	<u>3141</u>
06:51:54 CLOS	<u>313</u> Location:5100 KEITH AVE, PAS
06:54:38 CLOS	<u>3337</u> Location:5100 KEITH AVE, PAS
06:56:03 ONSCN	<u>3418</u>
06:56:29 CLOS	<u>3418</u> Location:5200 FAIRMONT SE CORNER
06:56:51 CLOS	<u>3418</u> Location:5200 FAIRMONT / SW CORNER
07:03:24 PRMPT	<u>3337</u> Comment:Preempted and dispatched to call #180416035
07:03:26 BACKOS	<u>431</u> Location:PRESTON AVE/CRENSHAW RD, PAS Emp#:3464 EmpNames:HUMPHREY,FA Comment:CHURCH PARKING LOT
07:03:46 *CLEAR	<u>3328</u>

EXHIBIT 36

07:04:12	BACKER	<u>434</u> Location:YELLOWSTONE DR/FAIRWOOD ST, PAS Emp#:5885 EmpNames:SCHROCK,SL Comment:SOUTHWEST ENTRANCE/ TURN TO TURNER ELEM.
07:11:07	BACKOS	<u>606</u> UnitID:3141 Location:NB CRENSHAW/PANSY AT LIGHT Emp#:1122 EmpNames:HAMILTON,CA
07:20:45	XREF	Service:P CFS#:#180416035 Type:SUSP Agency:PPD
07:21:12	BACKOS	<u>3337</u> UnitID:431 Location:5042 SIENNA HEIGHTS LN, PAS Emp#:2595 EmpNames:GARRETT,JK
07:21:25	BACKOS	<u>3326</u> UnitID:332 Location:FAIRDALE ST/LILY ST, PAS Emp#:5225 EmpNames:POWELL,RD
07:21:43	BACKOS	<u>424</u> UnitID:606 Location:5100 KEITH AVE, PAS Emp#:3475 EmpNames:HURST,NJ
07:22:01	BACKOS	<u>420</u> UnitID:434 Location:5042 SIENNA HEIGHTS LN, PAS Emp#:5427 EmpNames:RIDINGS,JL
07:22:54	BACKOS	<u>3340</u> UnitID:606 Location:PRESTON AVE/BELTWAY 8 HWY, PAS Emp#:4044 EmpNames:LOGAN,RJ Comment:@ CHEVRON
07:23:18	BACKER	<u>3108</u> Location:PRESTON AVE/BELTWAY 8 HWY, PAS Emp#:1901 EmpNames:EILERS,JA Comment:CHEVRON
07:23:19	MISC	<u>3340</u> Comment:BLK CAMO HOODIE // SUSBJ MATCHES
07:24:06	CLOS	<u>334</u> Location:BELTWAY 8 HWY/PRESTON AVE, PAS
07:24:11	ONSCN	<u>3340</u>
07:24:32	BACKER	<u>423</u> UnitID:434 Location:YELLOWSTONE DR/FAIRWOOD ST, PAS Emp#:5160 EmpNames:PHELAN,CD
07:25:54	MISC	Comment:CALLER ANDRIANNA PALACIOS 832-891-2602 SUSPECT AT CHEVRON STATION PRESTON BELTWAY 8- BLACK CAMO JACKET COVERED IN GRASS AND STICKERS BURRS
07:27:57	MISC	Comment:FOX IN AREA BW8/PRESTON
07:28:13	MISC	Comment:IN FRONT OF KELSY SEYBOLD
07:28:25	MISC	<u>334</u> Comment:IN FRONT OF KELSEY SEBOLD OFF BELTWAY
07:28:47	MISC	Comment:ONE IN CUSTODY
07:28:56	CLOS	<u>3108</u> Location:5001 BELTWAY 8 HWY, PAS
07:32:47	BACKOS	<u>411</u> Location:4900 BELTWAY 8 HWY, PAS Emp#:6915 EmpNames:WILLIAMS,CD Comment:WHERE SUBJECT WAS IN CUSTODY
07:34:08	PRMPT	<u>3418</u> Comment:Preempted and dispatched to call #180416044
07:34:30	PRMPT	<u>3108</u> Comment:Preempted and dispatched to call #180416044
07:34:58	MISC	Comment:HPD FOX NTFD // SUBJ IN CUSTODY
07:35:35	PRMPT	<u>3127</u> Comment:Preempted and dispatched to call type: ADM
07:38:01	MISC	<u>3115</u> Comment:RUNNING CRIME LOG
07:38:01	MISC	<u>3115</u> Comment:RUNNING CRIME LOG
07:40:10	TRANSP	<u>3340</u> Location:1201 DAVIS ST, PAS Comment:X1 MALE TO 870
07:40:17	*CLEAR	<u>423</u>
07:41:28	PRMPT	<u>108</u> Comment:Preempted and dispatched to call #180416047
07:41:33	XREF	Service:P CFS#:#180416047 Type:INFO Agency:PPD
07:41:46	RFT	<u>3340</u> Name:RAMIREZ,ANGEL DOB:20000109 Repeat:Yes
07:41:47	RFT	<u>3340</u> Name:RAMIREZ,ANGEL DOB:20000109 Repeat:Yes
07:42:21	*CLEAR	<u>424</u>
07:42:48	MISC	Comment:STREET & BRIDGE NTFD FOR FOUR (4) BARRICADES
07:43:23	CLEAR	<u>411</u>
07:44:52	CLEAR	<u>332</u>

EXHIBIT 36

07:44:54	CLEAR	<u>3337</u>
07:45:25	CLEAR	<u>431</u>
07:50:32	BACKOS	<u>2</u> Location:PANSY ST/KEITH AVE, PAS Emp#:0725 EmpNames:BRUEGGER,JA
07:53:47	CMPLT	<u>3340</u>
07:57:12	PRIU	<u>105</u>
07:58:13	CLEAR	<u>420</u>
08:11:11	BACKOS	<u>108</u> UnitID:105 Location:5045 CRENSHAW RD, PAS Emp#:1253 EmpNames:COOPER,MD
08:11:11	BACKOS	<u>103</u> UnitID:105 Location:5045 CRENSHAW RD, PAS Emp#:4942 EmpNames:NORMAN,MP
08:12:21	CLEAR	<u>434</u>
08:14:21	PRIU	<u>3326</u>
08:14:47	CHGLOC	<u>3326</u> Location:STATION Comment:PRIMARY
08:20:01	MISC	<u>313</u> Comment:MEDIA STAGING ON PANSY JUST NORTH OF CRENSHAW AT FIRST TURN AROUND
08:23:48	*ONSCN	<u>3326</u>
08:31:16	CLEAR	<u>3340</u> Dispo:SUP Comment:OUT LOGGING EVIDENCE
08:41:49	*CLEAR	<u>334</u>
09:00:04	CLEAR	<u>2</u>
09:01:21	CHANGE	Type:SUSP-->EVAD Response:2PAT-->1PAT Priority:4-->2 TypeDesc:SusPerson-->Evading Arrest
09:15:42	CHGLOC	<u>3303</u> Location:1201 DAVIS ST, PAS
09:21:04	CLEAR	<u>103</u>
09:25:58	CHGLOC	<u>105</u> Location:1201 DAVIS ST, PAS
09:26:53	BACKOS	<u>605</u> Emp#:5825 EmpNames:SANDERS,AC
09:27:05	CHGLOC	<u>605</u> Location:1201 DAVIS ST, PAS
09:27:25	CLEAR	<u>3115</u> Dispo:SUP
09:28:51	CHGLOC	<u>108</u> Location:1201 DAVIS ST, PAS
09:30:36	CLEAR	<u>126</u>
09:32:26	CLEAR	<u>3113 3141</u>
09:34:11	CLEAR	<u>323</u>
09:34:23	CLEAR	<u>313</u>
09:34:57	CLEAR	<u>606</u>
09:43:59	CLEAR	<u>3326</u> Dispo:R Comment:WRITING THE SLIP
09:44:25	PRMPT	<u>108 105 605 3303</u> Comment:Preempted and dispatched to call #180416084
09:44:28	CLEAR	<u>219</u>
09:44:28	-CLEAR	
09:44:28	CLOSE	
10:46:06	XREF	Service:P CFS#:# <u>180416035</u> Type:SUSP Agency:PPD
10:46:06	XREF	Service:P CFS#:# <u>180416029</u> Type:THFTR Agency:PPD
10:46:19	-NPREMS	Comment:(none)

CONTACT INFO:

Name	Phone	RPaddr	Contact?	Weapons?	Intox?	Permit#
POTTS,EDDIE						

EXHIBIT 36

18-7963Supplement No
ORIG**Pasadena Police Department**

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
Fax
FAX: (713) 477-4976

Reported Date
04/16/2018
Rpt/Incident Typ
SHOOTING
Emp#
POWELL, RD

Administrative Information

Agency Pasadena Police Department		Report No 18-7963		Supplement No ORIG		Reported Date 04/16/2018		Reported Time 04:04	
CAD Call No 180416033		Status REFER FOR FOLLOW-UP INVESTIGATION				Rpt/Incident Typ Shooting			
Address 5230 KEITH AVE								City PASADENA	
ZIP Code 77505	Grid 651F	District E	Beat 06	From Date 04/16/2018	From Time 04:04				
Emp# 5225/POWELL, RD				Assignment NIGHT SHIFT PATROL			Entered By 5225		
Assignment NIGHT SHIFT PATROL		RMS Transfer Successful		Prop Trans Stat Successful		Approving Officer 3270			
Approval Date 04/19/2018		Approval Time 05:53:23							

Person Summary

Invl REP 1	Invl No 1	Type I	Name POTTS, EDIE	MNI 35504
Race W	Sex F	DOB [REDACTED]		

Summary Narrative

Officer R. Saldivar was involved in a shooting in the area of 4600 Pansy St following a call of a suspicious person at 5230 Keith Ave. Refer to supplement reports completed by Officers R. Saldivar, Conner, and Logan.

EXHIBIT 36

18-7963Supplement No
ORIG**Pasadena Police Department****REPORTEE 1: POTTS, EDIE**

Involvement REPORTEE	Invl No 1	Type Individual			
Name POTTS, EDIE					MNI 35504
					Race WHITE
					Sex FEMALE
DOB [REDACTED]	Age 76	Juvenile? No	Hair Color RED/AUBURN	PRN 922312	
Type HOME	Address [REDACTED]				
City PASADENA	State TEXAS	ZIP Code 77505	Date 04/16/2018		
Type SID NUMBER **NOT TX ID# CARD OR DL#**					ID No 04960513
Phone Type CELL	Phone No [REDACTED]	Date 04/16/2018			
Modus Operandi					
Gang Act? No	Premise Type STREET, HIGHWAY, ALLEY	Arson Inhabited? No	Crime Code(s) ASSAULTS		
Narrative					

Scene Summary:

5230 Keith Ave is the address of a one story single family dwelling that is located on the south side of the roadway with the front door located on the north side of the residence facing north. The residence is centrally located between Beltway 8 Hwy southbound frontage and Pansy St.

The 4600 block of Pansy St is a portion of a public roadway that runs north and south through the city limits of Pasadena, Texas in Harris County. 5045 Crenshaw Rd (Broadwater) is a nearby multi-story, multi-building apartment complex which borders the 4600 block of Pansy on the east side of the complex. The complex has a metal fence surrounding the border and there are multiple parking lots throughout the complex.

I observed two handguns laying in the parking lot of 5045 Crenshaw Rd in close proximity to the east fence line of 4600 Pansy St on the northeast side of the complex.

The weather was cool and the lighting dark due to nighttime hours. The area was illuminated by artificial lighting.

Details:

I arrived in the area of 5200 Fairmont (3:09:23 am) to search the area for a theft suspect who had fled the Wal-Mart on foot. The outstanding suspect was described as a Hispanic male wearing a gray hoodie with black stripes and black pants. After the call cleared (4:02:22 am) I remained in the area in an attempt to locate the suspect. (Refer to Case 2018-7962)

A short time later (4:02:51 am) a reportee from 5230 Keith Ave, Edie Potts (W/F [REDACTED]) contacted police and stated that a male suspect with a similar description was knocking on her front door asking for money. Officer Saldivar, Sgt. Hibbs, and I arrived in the area and began to search for the suspect but he was gone on arrival. Sgt. Hibbs searched east of Pansy on Keith, I searched west of Pansy on Keith, and Officer Saldivar searched south on Pansy. Officer Saldivar then stated on the radio that he located a subject. As I began to drive towards Officer Saldivar's location, I heard approximately 4 gunshots coming from Officer Saldivar's location. Officer Saldivar then stated "shots fired" on the radio (04:19:22 am). I located Officer Saldivar in the 4600 block of Pansy St. His unit was parked facing south with his emergency lights activated. Officer Saldivar was outside of his unit standing along the east fence line of 5045 Crenshaw Rd.

When I made it to Officer Saldivar he advised he was unharmed and secure. Officer Saldivar stated he believed the suspect was down between some vehicles in the parking lot of 5045 Crenshaw Rd. I attempted to locate the suspect from the east side of the fence but could not see him.

Other Police units began arriving and setting up a perimeter along Pansy St, Keith Ave, and Crenshaw Rd.

Dispatch later received a call from 4502 Sienna Heights (05:48:06 am) about a suspect with a similar description who was at the reportee's front door. As Officers moved to Sienna Heights, I proceeded to Lily and Fairdale to

EXHIBIT 36

18-7963

Supplement No
ORIG

Pasadena Police Department

Narrative

assist as a perimeter unit. Once the suspect was apprehended I proceeded back to the original scene at 4600 Pansy.

For details on the Sienna Heights call and the apprehension of the suspect see supplements from Sgt. Hibbs and Officer Logan.

Detectives and the crime scene unit had been contacted and arrived on scene, see their supplements for details on their actions and further details on the investigation.

See the additional supplements to this report for further details on the case.

No further action by this officer.

Officer R. Powell #5225

EXHIBIT 36

18-7963Supplement No
0001**Pasadena Police Department**

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
Fax
FAX: (713) 477-4976

Reported Date
04/16/2018
Rpt/Incident Typ
SHOOTING
Emp#
SALDIVAR, R

Administrative Information

Agency Pasadena Police Department		Report No 18-7963	Supplement No 0001	Reported Date 04/16/2018	Reported Time 12:23
CAD Call No 180416033	Status REFER FOR FOLLOW-UP INVESTIGATION			Rpt/Incident Typ Shooting	
Address 5230 KEITH AVE					City PASADENA
ZIP Code 77505	Grid 651F	District E	Beat 06	From Date 04/16/2018	From Time 04:04
Emp# 5750/SALDIVAR, R			Assignment NIGHT SHIFT PATROL		Entered By 5750
Assignment NIGHT SHIFT PATROL		RMS Transfer Successful	Prop Trans Stat Successful	Approving Officer 3898	
Approval Date 04/17/2018		Approval Time 00:31:32			

Summary Narrative**Supplemental Report****Property**

Prop # 1	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 8	# Pieces 2
Description video from mvr unit #1631							Typ A
Cat Other (none of the above)			Article DVD	Entered Date 04/16/2018	Entered Time 12:56	Control 5750	0416181424
Prop # 2	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 9	# Pieces 2
Description video from body cam assigned to unit #1631							Typ A
Cat Other (none of the above)			Article DVD	Entered Date 04/16/2018	Entered Time 12:58	Control 5750	0416181424

Modus Operandi

Crime Code(s)
ASSAULTS

Narrative**Details**

On April 16, 2018, at approximately 4:06 a.m., while working night shift patrol, I was dispatched to a suspicious person call at 5230 Keith. I was operating a marked police patrol unit #1631 and wearing my regular police patrol uniform. Further details provided by dispatch indicated the reportee stated an unknown male was ringing her doorbell and requested she open the door. The reportee being frightened by the unknown male contacted the police.

I arrived on scene at 4:08 a.m. along with Sgt. Hibbs and Officer Powell. I contacted the reportee who was identified as Edie Potts (w/f [REDACTED]). Mrs. Potts stated around 4:02 a.m., an unknown male began ringing her doorbell. Mrs. Potts said when she asked who it was the male stated, "it's a stranger open up!" Mrs. Potts then advised the male demanded money at which time she became frightened and called the police. Mrs. Potts was unable to provide me with a description of the suspect because she was afraid to look out the window.

Sgt. Hibbs, Officer Powell and I then checked Mrs. Potts backyard and the surrounding residences unable to locate the suspect. We then began searching the surrounding area outside of Mrs. Potts neighborhood. As I drove southbound on the 4500 block of Pansy, I observed a Hispanic male wearing a black and white hooded jacket, blue jeans and white tennis shoes. This description matched that of a theft suspect who stole property

Report Officer 5750/SALDIVAR, R	Printed At 04/28/2018 09:07	CONFIDENTIAL
---	---------------------------------------	---------------------

EXHIBIT 36

18-7963Supplement No
0001**Pasadena Police Department****Narrative**

from Walmart (5200 Fairmont) one hour earlier. (Refer to case number 18-7962) The male was observed running westbound from the northwest corner of Patients Hospital crossing over Pansy. The male looked in my direction as he crossed Pansy and then jumped over a seven foot square tubed wrought iron fence leading into the Broadwater Apartments (5045 Crenshaw Rd.). I stopped my patrol unit and activated my emergency lights and used my spot light to try and lighten the dark area. As I exited my patrol vehicle, I called out to the male and asked him to come talk to me as I walked towards the fence. The male continued to slowly walk away but then turned around and began walking towards me. As the male neared the fence I used my flashlight to see his hands at which time I observed the male pull a semi-automatic handgun from behind his back with his right hand and began raising it in my direction. I immediately drew my service weapon (Glock 22 semi-automatic .40 caliber pistol) and fired several rounds towards the suspect who appeared to fall backwards. The male then ran northbound between several parked vehicles at which time I lost sight of the suspect due to large green subtrees along the fence line. I notified dispatch that shots had been fired and provided my location. I then informed Sgt. Hibbs and Officer Powell, who arrived to my location as the shooting was occurring, to the last known location of the suspect.

A description of the suspect was then broadcasted for additional responding units to the area. Several hours later the suspect was located and arrested by Pasadena Police Officers at Beltway 8 and Preston. The suspect was then transported back to 4500 Pansy where I positively identified the suspect.

I surrendered my duty weapon and magazine in the weapon to ID Division Officer R. Hunt as requested by Detective R. Guerra.

I later reviewed my Mobile Video Recorder (MVR) and Body Camera assigned to unit 1631 which showed the male place what appears to be a bag through the wrought iron fence prior to jumping the fence and him pick up the bag on the opposite side of the fence. The video also showed the male to have nothing in his hands as he jumped over the fence into the Broadwater Apartments. Both the MVR and Body Cam video also recorded four shots being fired from my service weapon at the suspect. A CD copy of the video from the MVR to unit# 1631 was made and later tagged as **Exhibit #8** and logged into the police evidence room. A CD copy of the body cam video was also tagged as **Exhibit #9** and logged into the police evidence room.

End of Report

R. Saldivar 5750

EXHIBIT 36

18-7963Supplement No
0002**Pasadena Police Department**

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
Fax
FAX: (713) 477-4976

Reported Date
04/16/2018
Rpt/Incident Typ
SHOOTING
Emp#
LOGAN, RJ

Administrative Information

Agency Pasadena Police Department		Report No 18-7963	Supplement No 0002	Reported Date 04/16/2018	Reported Time 23:05
CAD Call No 180416033	Status REFER FOR FOLLOW-UP INVESTIGATION			Rpt/Incident Typ Shooting	
Address 5230 KEITH AVE					City PASADENA
ZIP Code 77505	Grid 651F	District E	Beat 06	From Date 04/16/2018	From Time 04:04
Emp# 4044/LOGAN, RJ			Assignment NIGHT SHIFT PATROL		Entered By 4044
Assignment NIGHT SHIFT PATROL		RMS Transfer Successful	Prop Trans Stat Successful	Approving Officer 4543	
Approval Date 04/17/2018		Approval Time 00:26:01			

Summary Narrative**Supplement Report.****SUSPECT 1: RAMIREZ, ANGEL**

Involvement SUSPECT	Invl No 1	Type Individual	Name RAMIREZ, ANGEL		
MNI 234592	Race WHITE	Sex MALE	DOB [REDACTED]	Age 18	Ethnicity HISPANIC
Juvenile? No	Height 5'05"	Weight 120#	Hair Color BROWN	Eye Color BROWN	
Skin LIGHT BROWN	Gen Appearance CASUAL	Build THIN			
Type HOME	Address [REDACTED]				
City HOUSTON	State TEXAS	ZIP Code 77067	Date 04/16/2018		
Phone Type OTHER	Phone No [REDACTED]	Date 04/16/2018			

Property

Prop # 1	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 1	Value \$30.00	# Pieces 3
Description (3) - Crosman (2) pack bb gun clips						Typ A		
Cat Other (none of the above)			Article Gun Accessories / Magazines / etc.				Entered Date 04/16/2018	
Entered Time 23:08	Control 4044	0416182328						
Prop # 2	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 2	Value \$4.00	# Pieces 1
Description (1) - Crosman (5) pack bb gun co2 cartridges						Typ A		
Cat Other (none of the above)			Article Gun Accessories / Magazines / etc.				Entered Date 04/16/2018	
Entered Time 23:19	Control 4044	0416182319						
Prop # 3	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 3	Value \$4.00	# Pieces 5
Description (5) - Crosman bb gun co2 cartridges unpackaged						Typ A		
Cat Other (none of the above)			Article Gun Accessories / Magazines / etc.				Entered Date 04/16/2018	
Entered Time 23:19	Control 4044	0416182320						

EXHIBIT 36

Report Officer
4044/LOGAN, RJ

Printed At
Pasadena 04/23/2018 09:07

CONFIDENTIAL

18-7963Supplement No
0002**Pasadena Police Department**

Prop # 4	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 4	Value \$0.00	# Pieces 6
Description (6) - Brass casings for bb/pellet gun							Typ A	
Cat Other (none of the above)			Article Gun Accessories / Magazines / etc.				Entered Date 04/16/2018	
Entered Time 23:20	Control 4044		0416182321					
Prop # 5	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 5	Value 1	# Pieces 1
Description Can of pepper spray							Typ A	
Cat Other (none of the above)			Article Unlisted Miscellaneous Item				Entered Date 04/16/2018	Entered Time 23:21
Control 4044		0416182322						
Prop # 6	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 6	Value \$5.00	# Pieces 1
Description Folding multi-tool							Typ A	Cat Equipment/tools
Article Tool	Entered Date 04/16/2018	Entered Time 23:22	Control 4044					
0416182327								
Prop # 7	Involvement EVIDENCE	Invl Date 04/16/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 7	Value \$10.00	# Pieces 2
Description (2) pair of headphones							Typ A	
Cat Radio, TV, and sound entertainment devices					Article Earphone/Headset		Entered Date 04/16/2018	
Entered Time 23:27	Control 4044		0416182328					
Modus Operandi								
Premise Type STREET, HIGHWAY, ALLEY			Solvability Factor SUSPECT ARRESTED			Crime Code(s) ASSAULTS		
Narrative								

Scene Summary:

5000 Beltway 8 is a city street running north in Pasadena, Harris County, Texas. The roadway is comprised of three northbound lanes with a sidewalk on the east side running parallel to the roadway. It was daytime and the weather was cool and dry.

Details:

On 4-16-2018 I was manning the perimeter of a search area where officers were looking for a subject who fled from officers earlier in the night. For details see original and other supplement reports.

Dispatch advised that a subject matching the description of the male (Hispanic male, curly hair, wearing a black and white jacket) was spotted at a nearby gas station. Upon arrival at the gas station located at Preston Rd and Beltway 8 I was advised that the subject left on foot crossing under the overpass and walking northbound on the frontage rd. Officers checked the area and the subject was located in the 5000 block of Beltway 8. The subject was identified as the male who fled by a photograph which had been taken of the subject by a witness and circulated to officers during the search for the subject.

Officers contacted the male who was taken into custody without incident and identified as Angel Ramirez. Upon a search incident to his arrest officers located several items which Angel stated were stolen earlier in the night from 5200 Fairmont Pkwy (Walmart).

The items are as follows:

- (3) packs of Crosman bb gun clips (Stolen from Walmart) - \$10.00 ea
- (1) pack of Crosman CO2 bb gun cartridges (Stolen from Walmart) - \$4.00
- (5) unpackaged Crosman CO2 cartridges - \$4.00

EXHIBIT 36

18-7963

Supplement No
0002

Pasadena Police Department

Narrative

Plastic bag with (6) brass casing bb gun cartridges

Can of Mace pepper spray

Small multi tool (stolen from Walmart) -\$5.00

(2) pairs of headphones (one pink / one black; stolen from Walmart) - \$5.00 ea

I transported Angel back to the scene at which time he was identified by Ofc. R. Saldivar as the suspect who ran from him. I then spoke with Det. R. Guerra who advised to book Angel into the jail and place a hold on him.

Angel was transported to the Pasadena jail where he was booked and confined with a hold for Det. Guerra.

The above listed items were later logged into the property room as evidence.

No further action by this officer.

End Report.

R. Logan 4044

EXHIBIT 36

18-7963Supplement No
0003**Pasadena Police Department**

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
 Fax
FAX: (713) 477-4976

Reported Date
04/16/2018
 Rpt/Incident Typ
SHOOTING
 Emp#
CONNER, KM

Administrative Information

Agency Pasadena Police Department		Report No 18-7963	Supplement No 0003	Reported Date 04/16/2018	Reported Time 23:50
CAD Call No 180416033	Status REFER FOR FOLLOW-UP INVESTIGATION			Rpt/Incident Typ Shooting	
Address 5230 KEITH AVE					City PASADENA
ZIP Code 77505	Grid 651F	District E	Beat 06	From Date 04/16/2018	From Time 04:04
Emp# 1270/CONNER, KM			Assignment NIGHT SHIFT PATROL		Entered By 1270
Assignment NIGHT SHIFT PATROL		RMS Transfer Successful	Prop Trans Stat Successful	Approving Officer 4543	
Approval Date 04/17/2018		Approval Time 03:25:30			

Summary Narrative**SUPPLEMENT****Property**

Prop #	Involvement	Invl Date	In Custody?	Security	Property Tag	Item No	# Pieces
1	EVIDENCE	04/16/2018	Yes	No	180007963	10	1
Description CD CONTAINING PHOTOGRAPHS FROM SCENE.							Type A
Cat Data processing equipment			Article CD-ROM Drive		Entered Date 04/17/2018	Entered Time 01:30	
Control 1270		0417180131					

Modus Operandi

Crime Code(s)
ASSAULTS

Narrative

Officer Drey and I responded to 5230 Keith Ave and using my department issued, digital camera I took photographs of the scene.

I transferred the photographs onto a CD and logged them into the Property Room as Item #10.

No further action taken by this officer.

K.Conner#1270

EXHIBIT 36

18-7963Supplement No
0004**Pasadena Police Department**

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
 Fax
FAX: (713) 477-4976

Reported Date
04/17/2018
 Rpt/Incident Typ
SHOOTING
 Emp#
COOPER, M

Administrative Information

Agency Pasadena Police Department	Report No 18-7963	Supplement No 0004	Reported Date 04/17/2018	Reported Time 13:52
CAD Call No 180416033	Status REFER FOR FOLLOW-UP INVESTIGATION	Rpt/Incident Typ Shooting		
Address 4600 PANSY ST				City PASADENA
ZIP Code 77505	Grid 651F	District E	Beat 06	From Date 04/16/2018
		From Time 04:04		
Emp# 1253/COOPER, M	Assignment PERSON CRIMES (DETECTIVES)			Entered By 1253
Assignment PERSON CRIMES (DETECTIVES)		RMS Transfer Supplement Transfer Complete		Prop Trans Stat Successful
Approving Officer 4942	Approval Date 04/24/2018	Approval Time 07:14:52		

Summary Narrative

Detective Supplement report

OTHER 1: VELA, RAFAEL

Involvement OTHER	Invl No 1	Type Individual	Name VELA, RAFAEL							
MNI 249097	Race WHITE	Sex MALE	DOB [REDACTED]	Age 46	Juvenile? No	Height 5'10"	Weight 230#	Hair Color BLACK	Eye Color BROWN	RMS Transfer Successful
PRN 923189										
Type HOME	Address [REDACTED]									
City PASADENA	State TEXAS	ZIP Code 77505	Date 04/17/2018							
Phone Type CELL	Phone No [REDACTED]	Date 04/17/2018								

OTHER 2: LANGFORD, CLAYTON

Involvement OTHER	Invl No 2	Type Individual	Name LANGFORD, CLAYTON							
MNI 490153	Race WHITE	Sex MALE	DOB [REDACTED]	Age 23	Juvenile? No	RMS Transfer Successful	PRN 923190			
Type HOME	Address [REDACTED]									
City PASADENA	State TEXAS	ZIP Code 77505	Date 04/17/2018							
Phone Type CELL	Phone No [REDACTED]	Date 04/17/2018								

Vehicle: JFB6557

Involvement FIRE DAMAGE	Type TRUCK/VAN/SUV	Vehicle License# [REDACTED]	State TEXAS	Lic Year 2018	Lic Type TRUCK	Year 2004
Make Ford/Courier/Ford Goldline Camper	Model F150	Style PICKUP - TRUCK	Color BLACK	Damage Right		
RMS Transfer Successful						
Link OWN	Involvement OTH	Invl No 1	Name VELA, RAFAEL			Race W
						Sex M

EXHIBIT 36

18-7963

Supplement No
0004**Pasadena Police Department****Vehicle: JFB6557**

Link	Involvement	Invl No	Name	Race	Sex
OTH	OTH	2	LANGFORD, CLAYTON	W	M

Property

Prop #	Involvement	Invl Date	In Custody?	Security	Value
1	DAMAGED	04/17/2018	No	No	\$50.00

Description	Typ
glass window (double pane window)	A

Cat	Article	Entered Date	Entered Time
Other (none of the above)	Unlisted Miscellaneous Item	04/18/2018	22:50

RMS Transfer	Control
Successful	1253 0418182251

Prop #	Involvement	Invl Date	In Custody?	Security	Value
2	DAMAGED	04/17/2018	No	No	\$50.00

Description	Typ
window blinds	A

Cat	Article	Entered Date	Entered Time
Other (none of the above)	Unlisted Miscellaneous Item	04/18/2018	22:51

RMS Transfer	Control
Successful	1253 0418182251

Prop #	Involvement	Invl Date	In Custody?	Security	Value
3	DAMAGED	04/17/2018	No	No	\$20.00

Description	Typ
hardi-plank siding	A

Cat	Article	Entered Date	Entered Time
Other (none of the above)	Unlisted Miscellaneous Item	04/18/2018	22:51

RMS Transfer	Control
Successful	1253 0418182252

Modus Operandi

Crime Code(s)
ASSAULTS

Narrative

On 4/16/18, I was contacted by Det. R. Guerra and he requested that I assist him with an officer involved shooting (OIS) at Pansy and Crenshaw. Upon arrival, Det. R. Guerra asked if I would work inside the apartment complex of 5045 Crenshaw, locating any possible witnesses and evidence in this case.

I checked with many occupants of the complex and most said they heard possible gunshots, but no one saw any of the incident. Most claimed the gunshots woke them up from their sleep.

Along with patrol and crime scene officers, we located three rounds in the complex. One round struck a 2004 black Ford F150 (Texas Reg: JFB 6557) in the lower right front door. The round was found to have gone through the door and stayed lodged in the rubber gasket of the door frame. The owner of the truck was identified as Rafael Vela (w/m, [REDACTED]). Rafael said he heard the shooting, but didn't see anything. Rafael gave me the keys to his truck so we could recover the round. I advised Rafael I would return his keys to him later in the day, since he had to go to work.

Another round was found to have gone through the wooden fence that surrounds a garbage dumpster, which sits northeast of a row of detached parking garages, which in turn are east of building #6 in the complex (direction and positioning of garages and buildings is based on a view of looking down upon from above). The round then stopped and lodged in the hardi-plank siding wall of the detached parking garage.

While checking the complex, I was flagged down by an occupant of building #6. Clayton Langford (w/m, [REDACTED]) told me he woke up this morning and found his window broken, a hole in the blinds, and a bullet on the floor. Clayton lives in apartment #620, which is located on the second floor in the southeast corner of building #6. Clayton advised they did not hear anything and him and his wife woke up to find the damage done. The window that the round went through faces to the east.

EXHIBIT 36

Crime Scene Det. S. Dudley recovered the rounds from the truck and the detached parking garages. Crime Scene Det. W. Randles recovered the round from apartment #620. See Crime Scene Supplement Reports for

CONFIDENTIAL

18-7963Supplement No
0004**Pasadena Police Department****Narrative**

further details.

No further action from this officer.

Det. M. Cooper #1253

EXHIBIT 36

18-7963Supplement No
0005**Pasadena Police Department**

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
Fax
FAX: (713) 477-4976

Reported Date
04/17/2018
Rpt/Incident Typ
SHOOTING
Emp#
DUDLEY, S

Administrative Information

Agency Pasadena Police Department	Report No 18-7963	Supplement No 0005	Reported Date 04/17/2018	Reported Time 16:28
CAD Call No 180416033	Status REFER FOR FOLLOW-UP INVESTIGATION	Rpt/Incident Typ Shooting		
Address [REDACTED]				City PASADENA
ZIP Code 77505	Grid 651F	District E	Beat 06	From Date 04/16/2018
		From Time 04:04		
Emp# 5240/DUDLEY, S	Assignment CRIME SCENE UNIT		Entered By 5240	
Assignment CRIME SCENE UNIT	RMS Transfer Successful	Prop Trans Stat Successful	Approving Officer 4397	Approval Date 05/01/2018
Approval Time 07:36:25				

Summary Narrative

This is a crime scene supplement.

Property

Prop #	Involvement	Invt Date	In Custody?	Security	Property Tag	Item No	# Pieces
1	EVIDENCE	04/17/2018	Yes	No	180007963	19	1
Description projectile from Ford F150							Typ A
Cat Other (none of the above)			Article Ammunition / Bullets		Brand PROJEC	Entered Date 04/17/2018	Entered Time 16:29
Control 5240 0417181630							
2	EVIDENCE	04/17/2018	Yes	No	180007963	20	1
Description projectile from garage siding (Placard 7)							Typ A
Cat Other (none of the above)			Article Ammunition / Bullets		Brand PROJEC	Entered Date 04/17/2018	Entered Time 16:30
Control 5240 0417181631							
3	EVIDENCE	04/17/2018	Yes	No	180007963	21	1
Description swab from Item 16 - XCP pellet gun							Typ A
Cat Other (none of the above)			Article DNA Swabs - (Evidence)		Entered Date 04/17/2018	Entered Time 16:31	
Control 5240 0417181631							
4	EVIDENCE	04/17/2018	Yes	No	180007963	22	1
Description swab from Item 17 - SNR 357 pellet gun							Typ A
Cat Other (none of the above)			Article DNA Swabs - (Evidence)		Entered Date 04/17/2018	Entered Time 16:31	
Control 5240 0417181632							

EXHIBIT 36

18-7963Supplement No
0005**Pasadena Police Department**

Prop # 5	Involvement EVIDENCE	Invl Date 04/17/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 23	# Pieces 1
Description swab from Item 18 - Crosman CR357 pellet gun							Typ A
Cat Other (none of the above)			Article DNA Swabs - (Evidence)		Entered Date 04/17/2018		Entered Time 16:32
Control 5240 0417181632							
Prop # 6	Involvement EVIDENCE	Invl Date 04/17/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 24	# Pieces 1
Description master copy DVD of photographs by S.Dudley							Typ A
Cat Other (none of the above)			Article Unlisted Miscellaneous Item		Entered Date 04/17/2018		Entered Time 16:32
Control 5240 0417181633							
Prop # 7	Involvement EVIDENCE	Invl Date 04/17/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 16	Serial No 17M74504
Description chrome and tan XCP UX 4.5 mm .177cal pellet gun							# Pieces 2
Cat Other (none of the above)			Article Unlisted Miscellaneous Item		Brand XCP	Model UX PELLET	
Entered Date 04/17/2018		Entered Time 16:33	Control 5240 0417181634				
Prop # 8	Involvement EVIDENCE	Invl Date 04/17/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 25	# Pieces 1
Description working copy DVD of photographs by S.Dudley							Typ A
Cat Other (none of the above)			Article Unlisted Miscellaneous Item		Entered Date 04/17/2018		Entered Time 16:33
Control 5240 0417181633							
Prop # 9	Involvement EVIDENCE	Invl Date 04/17/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 17	# Pieces 1
Description blk revolver style pellet gun with faux ammo							Typ A
Cat Other (none of the above)			Article Unlisted Miscellaneous Item		Brand SNR	Model 357	
Entered Date 04/17/2018		Entered Time 16:34	Control 5240 0417181635				
Prop # 10	Involvement EVIDENCE	Invl Date 04/17/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 18	# Pieces 1
Description blk revolver style pellet gun 357							Typ A
Cat Other (none of the above)			Article Unlisted Miscellaneous Item		Brand CROSM	Model CR357	
Entered Date 04/17/2018		Entered Time 16:35	Control 5240 0417181635				
Modus Operandi							
Crime Code(s) ASSAULTS							
Narrative							

2018-7963

5045 Crenshaw

Officer Involved Shooting

04-16-2018 05:15 am

Details: On April 16, 2018, at approximately 05:11 hours, I received a callout to an officer involved shooting at Pansy and Crenshaw.

I arrived on scene at approximately 06:10 hours. I contacted Officer W. Randles, Sgt. J. McGill and Detective R. Guerra.

I was advised that the suspect had fled the scene and had not yet been located. While Officer W. Randles photographed the evidence on Pansy street, Detective R. Guerra asked that the parking area on the east side of

Report Officer
5240/DUDLEY, SPrinted At
Pasadena 05/02/2018 10:42**CONFIDENTIAL****EXHIBIT 36**

18-7963Supplement No
0005

Pasadena Police Department

Narrative

the apartment complex located at 5045 Crenshaw be photographed to document the evidence, damage to property and cars in that area.

Using the Nikon D7200, I took overall, midrange and close up photographs of the northeast drive of the complex, with special attention paid to two handguns (Placards 4 and 5), found to be pellet guns, damage to the front passenger side door of a Ford F150 truck (TX JFB 6557) (Placard 6) parked on the south side of the drive, damage to a gate surrounding a dumpster positioned along the southwest of the drive and subsequent damage to a garage wall southwest of the dumpster (Placard 8).

Once photography was complete, I proceeded to 5102 Keith, a street to the north of 5045 Crenshaw, where a third pellet gun had been found in the backyard. I arrived at that location at approximately 07:30 hours and contacted Sgt. S. Skripka. During the course of this portion of my investigation, the suspect was apprehended at a separate location. I learned that the suspect had not been injured as a result of the shooting.

Using the Nikon D7200, I photographed the front and rear exterior of 5102 Keith and the pellet gun found on the east side of the house just south of the gate to the backyard. Once photographed, I collected the pellet gun and returned to the scene at 5045 Crenshaw.

Upon my return, I learned that Officer S. Coulter was completing scans of the scene using the FARO laser scanner. Once the scans were complete inside the complex, I collected the pellet guns from the drive, as well as, the projectile from the Ford F150 and the projectile from the Hardiplank exterior siding of the garage.

I departed the scene and arrived at the Pasadena Police Department. I secured all evidentiary items in the Crime Scene Processing Room.

On Tuesday, April 17, 2018, using the Nikon D7200, I took additional photographs of each pellet gun. The pellet gun information follows:

- Item 16: (Placard 4) Chrome and tan XCP UX pellet gun (4.5 mm .177 caliber) Serial: 17M74504
- Item 17: (Placard 4) Black revolver style SNR 357 pellet gun (4.5 mm .177 caliber)
- Item 18: (Placard 8) Black revolver style Crosman CR 357 pellet gun (4.5 mm .177 caliber)

Using cyanoacrylate, I pre-processed the pellet guns to prepare them for latent print processing. Once complete, I examined the pellet guns for notable ridge detail and found none. Using sterile swabs and deionized water, I took samples from the grip, trigger and trigger guard of each pellet gun.

- Item 21: Swab from XCP pellet gun (Item 16)
- Item 22: Swab from SNR pellet gun (Item 17)
- Item 23: Swab from Crosman pellet gun (Item 18)

Using yellow dye stain, I processed the pellet guns for latent prints. After rinsing and allowing the items to dry, I used the Alternate Light Source (455 nm with orange lenses) and examined the items for usable ridge detail; however, no usable ridge detail had been developed.

The items were placed in clear evidence bags, labeled and sealed.

The collected DNA and the projectiles recovered from the vehicle and garage were labeled and sealed and all items were logged into the BEAST as evidence.

I created a master and working copy of the digital images taken at the scene and during additional processing.

All items were secured in the Pasadena Police Property room with the exception of Item 19 and 20, which were released to Officer W. Randles for submission to the Harris County Institute of Forensic Science. Those items were as follows:

- Item 19: (Placard 6) Projectile from Ford F150
- Item 20: (Placard 7) Projectile from garage

No further action was taken.

EXHIBIT 36

18-7963

Supplement No
0005

Pasadena Police Department

Narrative

Officer S.A. Dudley 5240
Certified Crime Scene Investigator
Latent Print Examiner

EXHIBIT 36

Report Officer

5240/DUDLEY, S

Printed At

Pasadena 05/09/2018 10:42

Page 4 of 4

CONFIDENTIAL

18-7963Supplement No
0006**Pasadena Police Department**
1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

 Phone
PHONE: (713) 477-1221
 Fax
FAX: (713) 477-4976

 Reported Date
04/19/2018
 Rpt/Incident Typ
SHOOTING
 Emp#
HIBBS, J
Administrative Information

Agency Pasadena Police Department		Report No 18-7963	Supplement No 0006	Reported Date 04/19/2018	Reported Time 00:35
CAD Call No 180416033	Status REFER FOR FOLLOW-UP INVESTIGATION			Rpt/Incident Typ Shooting	
Address [REDACTED]					City PASADENA
ZIP Code 77505	Grid 651F	District E	Beat 06	From Date 04/16/2018	From Time 04:04
Emp# 3270/HIBBS, J			Assignment NIGHT SHIFT PATROL		Entered By 3270
Assignment NIGHT SHIFT PATROL		RMS Transfer Successful	Prop Trans Stat Successful	Approving Officer 3270	
Approval Date 04/19/2018		Approval Time 02:02:28			

Summary Narrative**Supplement Report****Modus Operandi**
 Crime Code(s)
ASSAULTS
Narrative**Details:**

I had responded to 5200 Fairmont Pkwy (Wal-Mart) in reference to a theft (18-7962). Officers were in the area searching for an outstanding theft suspect that was described as a Hispanic male in a gray and black striped jacket. Officers searched the area but were unable to locate the suspect.

I with Officer Powell in the parking lot of the Shell gas station at Beltway 8 Hwy and Fairmont Pkwy when Police Dispatch Ch1 dispatched Officer Saldivar to 5230 Keith Ave in reference to a suspicious person call. I responded to the call with Officers Powell and Saldivar. Officer Saldivar contacted the reportee while Officer Powell and I searched the area around the reportee's residence and neighboring homes. Officer Saldivar advised that the subject asked the reportee for money but left when the reportee told him she was calling Police.

I checked the area north and east from 5230 Keith Ave while Officer Powell began checking west on Keith Ave from Pansy St and Officer Saldivar began checking south on Pansy St from Keith Ave. After a brief search of the area north and east of 5230 Keith Ave I began moving back toward Keith Ave and Pansy St. As I got to the intersection of Keith Ave and Pansy St I heard what I believed to be gun shots being fired. I had turned south onto Pansy St and asked Officer Saldivar to advise on the radio since I could see that his vehicle was stopped with the emergency lights activated and he was outside of his unit along the east fence line of 5045 Crenshaw Rd. Officer Saldivar advised "shots fired" on the radio as Officer Powell and I responded to his location. Officer Powell went to Officer Saldivar and made sure that he was unharmed and secure.

Officers were advised to begin setting up a perimeter around 5045 Crenshaw Rd along Crenshaw Rd, Pansy St, and Keith Ave. I went into the complex and began searching the area along the north east side of the complex since Officer Saldivar had advised that the suspect could have been down between two vehicles in the parking lot in close proximity to the east fence line where Officer Saldivar and Officer Powell were located. Officer Saldivar said the suspect had last been seen running north in the complex.

In the complex I observed two handguns on the ground on the ground in the parking lot just west of the east fence line where Officer Saldivar was located.

EXHIBIT 36
 Report Officer
3270/HIBBS, J

 Printed At
 Pasadena 04/20/2018 09:08
CONFIDENTIAL

18-7963Supplement No
0006**Pasadena Police Department****Narrative**

Sgt. Bowman and Lt. Warnke had arrived and were on the 4600 Pansy St side of the fence line with Officer Saldivar. Sgt. Bowman began establishing the scene with crime scene tape outside of the east fence line and then I did the same inside the complex. Officer Conner began a crime scene log.

Officer Conner took photographs with her department issued digital camera on the outside of the east fence line of 5045 Crenshaw Rd and I took photographs with Officer Conner's department issued digital camera on the inside of the fence line. Refer to Officer Conner's supplement report.

Police Dispatch advised that a male matching the suspect's description was knocking or ringing the door bell at 4502 Sienna Heights Ct in the neighborhood just west of 5045 Crenshaw Rd. I responded to that location with Officer Bearor, Officer Hurst, and Sgt. J. Ridings.

Upon arrival a male matching the suspect's description jumped a fence along the north side of the roadway and was last seen running north toward Keith Ave and Turner Elementary. We moved to that area and continued to search for the suspect. HPD FOX was notified and later responded to assist in the search.

Officer Bearor and I searched the backyard at 5102 Keith Ave where he located a third handgun. Officer Bearor notified ID of the firearms location and stayed with the firearm until it could be recovered. The resident at 5102 Keith Ave advised that he did have cameras all around the exterior of his residence if Police needed.

I was leaving the area of Sienna Heights when Police Dispatch advised that a male matching the suspect's description was at a Chevron gas station at Beltway 8 Hwy and Preston Ave. I responded to that location and was told that the subject had gone east under the Beltway 8 Hwy overpass and then north along the northbound frontage. I began to check the area and did locate the suspect walking northbound in front of the Kelsey-Seybold Clinic in the 5000 block of Beltway 8 Hwy northbound frontage. The suspect was taken into custody by Officer Logan and I without incident. Refer to Officer Logan's supplement report.

I returned to the 4600 block of Pansy St where I contacted Officer Powell. It was then decided that Officer Powell would complete the original report.

I took no further action.

Sgt. J. Hibbs #3270

EXHIBIT 36

CASE SUPPLEMENTAL REPORT

Printed: 05/15/2018 09:52

NOT SUPERVISOR APPROVED

Pasadena Police Department

OCA: 18007963

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *OPEN (ACTIVE)*Case Mng Status: *CLEARED BY ARREST*Occurred: *04/16/2018*Offense: *SHOOTING*Investigator: *GUERRA, R. (2906)*Date / Time: *04/19/2018 08:19:00, Thursday*Supervisor: *(0)*Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *Patrol Supplement***Scene Summary:**

The above location is a public roadway located within the incorporated city limits of Pasadena Harris County Texas. Pansy Street is a four lane roadway divided by a median, that runs in a north and south direction. The police unit driven by the officer was parked in the outside lane on the southbound side of Pansy Street with its lights on. Crime Scene tape was already set up to the north and south of the crime scene blocking the crime scene at the time of my arrival. Closer inspection showed two shell casings on the street to the southwest of the unit and another shell casing to the southeast of the unit. Further inspection showed an indentation on one of the approximately one inch fence rails, which appeared to be made by being struck by one of the shots fired by the officer.

To the southwest of the officers police unit, in the inside northbound lane was an unmarked unit which was occupied two times, one by the officer involved and the other by a peer support officer.

To the east of the fence line inside the perimeter of the property line of the apartment community at 5045 Crenshaw on the ground were two handguns, one a semi auto automatic silver slide and a tan frame and the second a black revolver. Upon closer inspection the two handguns were found to be pellet guns. The pistol grips on the revolver had fallen off of the gun.

The the southwest of the patrol unit also within the perimeter of the apartment community was a black Ford F-150 pick up truck. On the lower passenger side of the front quarter panel of the truck was what appeared to be a bullet hole.

Further west of the fence line within the perimeter of the apartment community I observed what appeared and later found to be a bullet hole in the doorway of an enclosed area that keeps a trash dumpster, the bullet hole had gone through the door appeared to have struck a metal pole inside the enclosure, through the side wall and then traveled in a southwesterly direction striking and embedding itself in the wall of a garage.

A final bullet hole was located further west where it had gone through a second story window of building # 6 on the south east corner of the building.

At the time of the incident the temperature was approximately 46 degrees farenheight and the relative humidity was approximately 97 percent.

Details:

On the morning of April 16, 2018, at approximately 4:48 A.M., I was called out to the scene of an officer involved shooting. The location given was 5045 Crenshaw. I proceeded southbound on the Pansy street from Fairmont Parkway

EXHIBIT 36

Investigator Signature

Supervisor Signature

Pasadena 1294

CONFIDENTIAL

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 05/15/2018 09:52

Pasadena Police Department

OCA: 18007963

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *OPEN (ACTIVE)*Case Mng Status: *CLEARED BY ARREST*

Occurred: 04/16/2018

Offense: *SHOOTING*Investigator: *GUERRA, R. (2906)*

Date / Time: 04/19/2018 08:19:00, Thursday

Supervisor: (0)

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *Patrol Supplement*

As I approached the 4500 block of Pansy I observed that there were units and crime scene tape which appeared to be securing a scene.

As I exited my vehicle I observed Sergeants Bowman and Riddings inside the secured area, along with Lieutenant Warnke. As I entered the area I learned that the actual shooting had occurred on Pansy street and not on Crenshaw. I was advised that officers had been called out to the scene of a suspicious person on Keith street described as a Hispanic male that was knocking on the door telling the resident to let him in.

As officers arrived at the scene, Officer Saldivar turned southbound on Pansy street and observed a subject crossing Pansy westward and then jumping the fence into the apartment community. As Officer Saldivar proceeded to contact the subject, the subject was alleged to have produced a handgun, at which time Officer Saldivar discharged his weapon at the subject.

I asked for Officer Saldivar's location and was advised that he was in the unmarked unit which was parked inside the secured area along with Sergeant Davis who is a peer support Officer. I asked If Officer Saldivar's legal counsel had been contacted and was advised that it was unknown. I was later advised by Sergeant Davis that officer Saldivar had been advised to contact his legal counsel and was doing so. This was done in order to expedite the investigation and clear the crime scene as soon as possible as it encompassed and blocked a public roadway.

After doing so I spoke to Sergeant J. McGill supervisor for the crime scene unit. I was advised that Officer Randles was in route to process the scene. Shortly thereafter, Officer Randles arrived at the scene. I advised officer Randles to take pictures of the scene and take possession of the shell casings located on the ground. The crime scene van arrived on the scene arrived shortly thereafter. For any additional information see Officer Randles supplement report.

The crime scene inside the perimeter of the apartment community (parking lot) was processed by Crime Scene Officer Stephanie Dudley For additional information see Officer Dudleys Supplement report.

While at the scene, I was advised that the subject, who had pointed the guns at Officer Saldivar, had been apprehended. I had the subject transported to our location and had Officer Saldivar identify him. After being identified by Officer Saldivar as the subject that had pointed the gun at him, the subject was transferred to the city jail where he was booked and confined.

Upon the arrival of Officer Saldivar's legal counsel, his weapon was taken into possession by the Crime Scene Unit for "Cataloging" purposes and Officer Saldivar was provided with a replacement weapon of the same make and caliber

EXHIBIT 36

Investigator Signature

Supervisor Signature

Pasadena 1295

Supplements [Edit]

CONFIDENTIAL
Page 2

CASE SUPPLEMENTAL REPORT

Printed: 05/15/2018 09:52

NOT SUPERVISOR APPROVED

Pasadena Police Department

OCA: 18007963

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *OPEN (ACTIVE)*Case Mng Status: *CLEARED BY ARREST*Occurred: *04/16/2018*Offense: *SHOOTING*Investigator: *GUERRA, R. (2906)*Date / Time: *04/19/2018 08:19:00, Thursday*Supervisor: *(0)*Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *Patrol Supplement*

(See Officer Randles supplement for information regarding the process). After all evidence had been gathered and the scene processed, the scene was cleared.

At this time I returned to the police station and in a written statement Officer Saldivar stated that he along with other officers had responded to the scene of a suspicious person described as a subject knocking on the front door of the residence at 5230 Keith Street. Officer Saldivar stated, as he was southbound on Pansy street, he observed a Hispanic male wearing a black and white hooded jacket, blue jeans and white tennis shoes. Officer Saldivar advised the subject matched the description of a theft suspect who had stolen property from the Walmart store at 5200 Fairmont approximately one hour earlier. Officer Saldivar advised that the subject was running westbound from the northwest corner of the building which is part of Patients Hospital crossing Pansy Street.

Officer Saldivar advised that the subject looked in his direction, as he crossed Pansy Street, then jumped the fence which surrounds the perimeter of the apartment community at 5945 Crenshaw(Broadwater Apartments). Officer Saldivar advised that at this time he stopped his vehicle, turned on his emergency lights, and used his spot light to lighten the area up as it was dark. Officer Saldivar advised that as he exited his patrol unit, he called out to the subject who was walking away and asked him to come talk to him as he (Officer Saldivar) walked towards the fence. Officer Saldivar advised that the male subject continued to walk away, then turned around and walked towards him

Officer Saldivar advised that as the subject neared the fence he used his flashlight to observe the subjects hands and this was when he observed the subject pull a semi automatic handgun from his back and start to raise the handgun in his direction. Officer Saldivar advised that he drew his weapon, a Glock model 22 semiautomatic 40 caliber pistol, and fired several shots in the direction of the subject. Officer Saldivar advised the subject appeared to fall backwards, but then ran northbound between the vehicles parked in the parking lot at which time he lost sight of the subject. Officer Saldivar advised that he notified police dispatch that shots had been fired and his location. Officer Saldivar concluded his statement by stating that he notified Sergeant Hibbs and Officer Powell who were arriving, as the incident was occurring, of the last known location of the subject. For any further details see Officer Saldivar's supplement report.

After reviewing Officer Saldivars written statement, I reviewed the videos from Officer Saldivars dash and body camera. Based on video the proximity of the defendant was close enough, that if the guns would or could have been discharged and struck Officer Saldivar in the face or eye would and could have caused serious bodily injury.

I later proceeded to the city jail and escorted the subject now known as Angel Ramirez to the Criminal Investigations Division. In a video taped interview, and after being given his Miranda Warning, Ramirez advised this officer that he had committed the theft at Walmart, fled the scene there, and that at the time that he encountered Officer Saldivar had a

EXHIBIT 36

Investigator Signature

Supervisor Signature

Pasadena 1296

Supplements [Edit]

CONFIDENTIAL
Page 3

CASE SUPPLEMENTAL REPORT
NOT SUPERVISOR APPROVED

Printed: 05/15/2018 09:52

Pasadena Police Department

OCA: 18007963

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

Case Status: *OPEN (ACTIVE)*Case Mng Status: *CLEARED BY ARREST*

Occurred: 04/16/2018

Offense: *SHOOTING*Investigator: *GUERRA, R. (2906)*

Date / Time: 04/19/2018 08:19:00, Thursday

Supervisor: (0)

Supervisor Review Date / Time: *NOT REVIEWED*

Contact:

Reference: *Patrol Supplement*

gun in his hand. Ramirez would not admit to pointing the gun at Officer Saldivar. After interviewing Ramirez was returned to the city Jail. I then contacted that Harris County District Attorney's Office and spoke to Chief Assistant District Attorney Leitner, who after being given the pertinent facts surrounding the incident accepted charges of Aggravated Assault on a Police Officer, a First Degree Felony. Charges were summarily filed and Ramirez was later transferred to the Harris County Jail.

For stolen property recovered from Ramirez's person at the time of his arrest, see Officer Logans supplement report.

Robert Guerra

2906

EXHIBIT 36

Investigator Signature

Supervisor Signature

Pasadena 1297

Supplements [Edit]

CONFIDENTIAL
Page 4

18-7963Supplement No
0008**Pasadena Police Department**

1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

Phone
PHONE: (713) 477-1221
 Fax
FAX: (713) 477-4976

Reported Date
04/19/2018
 Rpt/Incident Typ
SHOOTING
 Emp#
RANDLES, W

Administrative Information

Agency Pasadena Police Department	Report No 18-7963	Supplement No 0008	Reported Date 04/19/2018	Reported Time 12:38
CAD Call No 180416033	Status REFER FOR FOLLOW-UP INVESTIGATION	Rpt/Incident Typ Shooting		
Address [REDACTED]				City PASADENA
ZIP Code 77505	Grid 651F	District E	Beat 06	From Date 04/16/2018
Emp# 5306/RANDLES, W		Assignment CRIME SCENE UNIT		Entered By 5306
Assignment CRIME SCENE UNIT	RMS Transfer Successful	Prop Trans Stat Successful	Approving Officer 4397	Approval Date 05/01/2018
Approval Time 07:36:41				

Summary Narrative**Pasadena Police Crime Scene Unit Supplement****Property**

Prop #	Involvement	Invl Date	In Custody?	Security	Property Tag	Item No	Serial No	# Pieces
1	EVIDENCE	04/19/2018	Yes	No	180007963	11	CRV702	2
Description 1x Glock 22 handgun with empty magazine							Type F	
Cat Other (none of the above)			Article Guns/Firearms		Make Glock, Inc.	Model 22		
Type/Cat PISTOL, SEMIAUTOMATIC	Caliber 40 CAL	Finish BLACK	Entered Date 04/19/2018	Entered Time 12:43	Control 5306	0419181245		
2	EVIDENCE	04/19/2018	Yes	No	180007963	13	3	
Description 3x spent cartridge cases recovered from 4400 Pansy							Type A	
Cat Other (none of the above)			Article Ammunition / Bullets		Brand FEDERA	Model .40 FEDER	Entered Date 04/19/2018	
Entered Time 12:46	Control 5306	0419181247						
3	EVIDENCE	04/19/2018	Yes	No	180007963	14	1	
Description 1x projectile recovered from 5045 Crenshaw #620							Type A	
Cat Other (none of the above)			Article Ammunition / Bullets		Entered Date 04/19/2018	Entered Time 12:47		
Control 5306	0419181249							
4	EVIDENCE	04/19/2018	Yes	No	180007963	15	11	
Description 11x bullets from magazine of Glock 22 #CRV702							Type A	
Cat Other (none of the above)			Article Ammunition / Bullets		Brand FEDERA	Model .40 FEDER	Entered Date 04/19/2018	
Entered Time 12:49	Control 5306	0419181250						

EXHIBIT 36

18-7963Supplement No
0008**Pasadena Police Department**

Prop # 5	Involvement EVIDENCE	Invl Date 04/19/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 26	# Pieces 26
Description 1x DVD of color digital photos MASTER							Type A
Cat Radio, TV, and sound entertainment devices					Article Disk, Video Disk (CED, LV)		
Brand VERBAT	Entered Date 04/19/2018	Entered Time 12:51	Control 5306 0419181252				
Prop # 6	Involvement EVIDENCE	Invl Date 04/19/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 27	# Pieces 26
Description 1x DVD of color digital photos COPY							Type A
Cat Radio, TV, and sound entertainment devices					Article Disk, Video Disk (CED, LV)		
Brand VERBAT	Entered Date 04/19/2018	Entered Time 12:52	Control 5306 0419181252				
Prop # 7	Involvement EVIDENCE	Invl Date 04/19/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 28	# Pieces 26
Description 1x DVD of color digital EVIDENCE photos MASTER							Type A
Cat Radio, TV, and sound entertainment devices					Article Disk, Video Disk (CED, LV)		
Brand VERBAT	Entered Date 04/19/2018	Entered Time 12:52	Control 5306 0419181253				
Prop # 8	Involvement EVIDENCE	Invl Date 04/19/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 28	# Pieces 26
Description 1x DVD of color digital EVIDENCE photos COPY							Type A
Cat Radio, TV, and sound entertainment devices					Article Disk, Video Disk (CED, LV)		
Brand VERBAT	Entered Date 04/19/2018	Entered Time 12:53	Control 5306 0419181253				
Modus Operandi							
Crime Code(s) ASSAULTS							
Narrative							

Scene Summary - 4500 Pansy is the location of a four-lane concrete roadway running north to south. The roadway is separated by an elevated concrete median divider. The incident area occurred in the roadway where there is an open intersection with a left turn lane in the south bound lane that enters the private drive of 4600 Sam Houston Pkwy (CHI St. Luke's Health - Patients Medical Center). West of the incident area is the large multi-story residential apartment complex 5045 Crenshaw (The Broadwater). The apartment's east property line is located along the west curb line of 4500 Pansy. There is a grass field that separates the curb line and 5045 Crenshaw's east property line. The property line is surrounded by a large black metal rod fence. There are numerous large shrubs and bushes located on the interior side of the metal rod fence line.

A marked Pasadena Police Unit (2016 Ford Explorer Tx Lic #129-7075 Fleet #1631) was parked in the outside lane of 4500 Pansy south bound. The patrol vehicle's emergency lights and spotlight were activated. South of the patrol vehicle, two cartridge cases were located on the roadway. A single cartridge case was located in the grass field southwest of the patrol vehicle.

The weather clear and cool.

The lighting was minimal due to the lack of artificial exterior lights.

Details - On 04-16-2018, at approximately 0500 hours, I was contacted by PPD Dispatch about a shooting that occurred at the above-listed address. PPD Dispatch advised that an officer discharged his firearm at an armed suspect.

I arrived at the location and was advised by CSU SGT J. McGill and DET R. Guerra that OFC R. Saldívar opened fire at a suspect who pointed two handguns at him in the northeast parking lot of 5045 Crenshaw. DET R. Guerra requested digital photographs and all pertinent evidence be collected from 4500 Pansy and 5045 Crenshaw.

Crime Scene Unit OFC S. Dudley and I arrived on scene and we conducted a walkthrough. CSU OFC S. Dudley

CONFIDENTIAL**EXHIBIT 36**

18-7963Supplement No
0008**Pasadena Police Department****Narrative**

was assigned to take photographs and collect evidence at 5045 Crenshaw; reference CSU OFC S. Dudley supplement report for further details.

Using my department issued Nikon D7200 digital camera, I began photographing the roadway and surrounding area. I then photographed the police vehicle and curb line. I then photographed the three located cartridge cases in a detailed manner.

While photographing the incident area, supervisors checked OFC R. Saldivar vehicle's Watchguard camera and observed OFC R. Saldivar discharge his firearm four times. Using a metal detector, CSU OFC R. Hunt and I searched for the fourth cartridge case in the grass field with negative results.

CSU OFC S. Coulter arrived at 4500 Pansy and initialized the FARO laser scanner for scale measurements of the incident area; reference CSU OFC S. Coulter's supplement report for further details.

I was then contacted by DET R. Guerra who advised that a resident at 5045 Crenshaw located at projectile in his apartment. I checked by 5045 Crenshaw #622 and observed a possible gunshot hole in the apartment window if 5045 Crenshaw #622 east side window. DET M. Cooper and I contacted the resident at apartment #622. The resident advised that he located a single projectile in his living room and then observed his shattered window. The resident advised that he collected, placed the projectile in a zip-lock bag, and contacted the police about the incident. I took digital photos of the projectile and shattered window. I then collected the projectile in the zip-lock bag as evidence.

I checked back by 4500 Pansy and due to recent ambient light, I observed a single gunshot entry hole on the east side of one of the metal rods of the property line fence. I was not able to locate a projectile and then took digital photos of the gunshot hole.

I then collected the following evidence from the incident area:

Placard #1 - .40 Federal S&W cartridge case
Placard #2 - .40 Federal S&W cartridge case
Placard #3 - .40 Federal S&W cartridge case

I was then contacted by IAD DET SGT A. Sanders and SGT C. Hamilton. They advised that all parties were ready to collect OFC R. Saldivar's duty firearm. I collected a (Glock 22 .40 cal semi-auto handgun S/N CRV702 with magazine) from OFC R. Saldivar. I then safely extracted the magazine and began charting the ammunition in the magazine. The following is the type of ammunition collected inside the chamber and magazine.

Chamber - .40 Federal S&W
magazine position #1 - .40 Federal S&W
magazine position #2 - .40 Federal S&W
magazine position #3 - .40 Federal S&W
magazine position #4 - .40 Federal S&W
magazine position #5 - .40 Federal S&W
magazine position #6 - .40 Federal S&W
magazine position #7 - .40 Federal S&W
magazine position #8 - .40 Federal S&W
magazine position #9 - .40 Federal S&W
magazine position #10 - .40 Federal S&W

It should be noted that the collection of the ammunition was recorded using a Sony XA20 digital camera by CSU OFC R. Hunt.

All evidence was then transported and secured in the PPD CSU Processing Room.

On 04-17-2018, I took detail evidence digital photos of Items #11, #13, #14, and #15. I then transferred all digital photos and recordings onto a Verbatim DVD. I entered the following items into the PPD Property Room as evidence.

#11 - 1x black Glock 22 .40 cal S/N CRV702 with empty magazine

EXHIBIT 36

18-7963

Supplement No
0008

Pasadena Police Department

Narrative

- #13 - 3x cartridge cases .40 Federal S&W collected at 4500 Pansy
- #14 - 1x projectile collected at 5045 Crenshaw #622
- #15 - 11x .40 Federal S&W ammunition from OFC R. Saldivar's magazine
- #26 - 1x DVD with digital photos and recordings at 4500 Pansy MASTER
- #27 - 1x DVD with digital photos and recordings at 4500 Pansy COPY
- #28 - 1x DVD with digital photos of EVIDENCE MASTER
- #29 - 1x DVD with digital photos of EVIDENCE MASTER

I then collected Item #19 (projectile from Ford F-150) and Item #20 (projectile from garage exterior wall) from CSU OFC S. Dudley. I then checked out items #11, #13, #14, #15, #19, and #20. The items were hand carried and delivered to the HCIFS for firearms testing.

No further police action was taken by this officer.

Randles #5306

EXHIBIT 36

18-7963Supplement No
0009**Pasadena Police Department**
1114 JEFF GINN MEMORIAL DRIVE
PASADENA, TEXAS 77502

 Phone
PHONE: (713) 477-1221
 Fax
FAX: (713) 477-4976

 Reported Date
04/24/2018
 Rpt/Incident Typ
SHOOTING
 Emp#
COULTER, S
Administrative Information

Agency Pasadena Police Department	Report No 18-7963	Supplement No 0009	Reported Date 04/24/2018	Reported Time 13:07
CAD Call No 180416033	Status REFER FOR FOLLOW-UP INVESTIGATION	Rpt/Incident Typ Shooting		
Address [REDACTED]				City PASADENA
ZIP Code 77505	Grid 651F	District E	Beat 06	From Date 04/16/2018
Emp# 1363/COULTER, S		Assignment CRIME SCENE UNIT		Entered By 1363
Assignment CRIME SCENE UNIT	RMS Transfer Successful	Prop Trans Stat Successful	Approving Officer 4397	Approval Date 05/01/2018
Approval Time 07:37:55				

Summary Narrative**Crime Scene Unit Supplement****Property**

Prop # 1	Involvement EVIDENCE	Invt Date 04/24/2018	In Custody? Yes	Security No	Property Tag 180007963	Item No 30	# Pieces 1
Description DVD of RAW digital files from FARO tool							Type A
Cat Other (none of the above)			Article Photographs		Entered Date 04/24/2018	Entered Time 13:08	
Control 1363		0424181315					

Modus Operandi
 Crime Code(s)
ASSAULTS
Narrative**Details:**

On April 16, 2018 I responded to at the area of the 4500 block of Pansy St in reference to a shooting. After my arrival I contacted Sergeant J.M. McGill who advised me of the details of the investigation.

I then utilized the Department's FARO Technologies Focus3D X330 laser surveying tool to collect measurements of the scene. The digital files generated by this process were later copied to a DVD disc in their RAW form. This disc was later logged into the BEAST evidence system as item #030 and submitted to the Pasadena Property Room for storage.

No further action by this Officer.

S.M. Coulter #1363
Crime Scene Unit
EXHIBIT 36

AFFIDAVIT

Date: May 10, 2018

Time: 05:27 a.m.

THE STATE OF TEXAS §**COUNTY OF HARRIS §**

Before me, the undersigned authority, on this day personally appeared, Rigoberto R. Saldivar, known to me to be the person who subscribed his/her name below, who, after having first been duly sworn by me, on oath deposes and says:

My name is Rigoberto R. Saldivar and I am 47 years old. My date of birth is [REDACTED] I work at 1201 Davis St., Pasadena, Texas 77506. My phone number is [REDACTED] My Texas driver's license number is [REDACTED] I have completed the 14 th grade in school and can read and write the English language.

On April 16, 2018, at approximately 4:06 a.m., while working night shift patrol, I was dispatched to a suspicious person call at 5230 Keith. I was operating a marked police patrol unit #1631 and wearing my regular police patrol uniform. Further details provided by dispatch indicated the reportee stated an unknown male was ringing her doorbell and requested she open the door. The reportee being frightened by the unknown male contacted the police.

I arrived on scene at 4:08 a.m., along with Sgt. Hibbs and Officer Powell. I contacted the reportee who was identified as Edie Potts (w/f [REDACTED]). Mrs. Potts stated around 4:02 a.m., an unknown male began ringing her doorbell. Mrs. Potts said when she asked who it was the male stated, "it's a stranger open up!" Mrs. Potts then advised the male demanded money at which time she became frightened and called the police. Mrs. Potts was unable to provide me with a description of the suspect because she was afraid to look out the window. Sgt. Hibbs, Officer Powell and I then checked Mrs. Potts backyard and the surrounding residences unable to locate the suspect. We then began searching the surrounding area outside of Mrs. Potts neighborhood. As I drove southbound on the 4600 block of Pansy, I observed a Hispanic male wearing a black and white hooded jacket, blue jeans and white tennis shoes. This description matched that of a theft suspect who stole property from Walmart (5200 Fairmont) one hour earlier. (Refer to case number 18-7962) The male was observed running westbound from the northwest corner of Patients Hospital crossing over Pansy. The male looked in my direction as he crossed Pansy and then jumped over a seven foot square tubed wrought iron fence leading into the Broadwater Apartments (5045 Crenshaw Rd.). I stopped my patrol unit and activated my emergency lights and used my spot light to try and lighten the dark area. As I exited my patrol vehicle, I called out to the male and asked him to come talk to me as I walked towards the fence. The male continued to slowly walk away but then turned around and began walking towards me. As the male neared the fence I used my flashlight to see his hands at which time I observed the male pull a semi-automatic handgun from behind his back with his right hand and began raising it in my direction. I immediately drew my service weapon (Glock 22 semi-automatic .40 caliber pistol) and fired several rounds towards the suspect who appeared to fall backwards. The male then ran northbound between several parked vehicles at which time I lost sight of the suspect due to large green subtrees along the fence line. I notified dispatch that shots had been fired and provided my location. I then informed Sgt. Hibbs and Officer Powell, who arrived to my location as the shooting was occurring, to the last known location of the suspect.

A description of the suspect was then broadcasted for additional responding units to the area. Several hours later the suspect was located and arrested by Pasadena Police Officers at Beltway 8 and Preston. The suspect was then transported back to 4600 Pansy where I positively identified the suspect.

Pasadena 1303

CONFIDENTIAL**EXHIBIT 36**

I then surrendered my duty weapon and magazine in the weapon to ID Division Officer R. Hunt. I later reviewed my Mobile Vehicle Recorder (MVR) and Body Camera assigned to unit 1631 which showed the male place what appears to be a bag through the wrought iron fence prior to jumping the fence and him pick up the bag on the opposite side of the fence. The video also showed the male to have nothing in his hands as he jumped over the fence into the Broadwater Apartments. Both the MVR and Body Cam video also recorded four shots being fired from my service weapon at the suspect.

I am aware of Article 37.03 of the Penal Code of Texas, which says:

Any person commits the offense of Aggravated Perjury, if that person, with intent to deceive and with knowledge of the statement's meaning, makes a false statement under oath or swears to the truth of a false statement if the statement is required or authorized by law to be made under oath, and if the statement is material and made during or in connection with an official proceeding. If found guilty of Aggravated Perjury the person may be confined in the penitentiary for, Not Less than Two nor More Than Ten Years and/or a Fine not to exceed \$10,000.00.


Affiant

Sworn and subscribed to before me, the undersigned authority, while engaged in, and related to, the performances of my duties as a peace officer on this, the 11th day of MAY, 2017 2018



Sergeant C.A. Hamilton
Pasadena Police Department
Pasadena, Harris County, Texas

EXHIBIT 36

On April 16, 2018, at approximately 4:06 a.m., while working night shift patrol, I was dispatched to a suspicious person call at 5230 Keith. I was operating a marked police patrol unit #1631 and wearing my regular police patrol uniform. Further details provided by dispatch indicated the reportee stated an unknown male was ringing her doorbell and requested she open the door. The reportee being frightened by the unknown male contacted the police.

I arrived on scene at 4:08 a.m., along with Sgt. Hibbs and Officer Powell. I contacted the reportee who was identified as Edie Potts (w/f [REDACTED]). Mrs. Potts stated around 4:02 a.m., an unknown male began ringing her doorbell. Mrs. Potts said when she asked who it was the male stated, "it's a stranger open up!" Mrs. Potts then advised the male demanded money at which time she became frightened and called the police. Mrs. Potts was unable to provide me with a description of the suspect because she was afraid to look out the window.

Sgt. Hibbs, Officer Powell and I then checked Mrs. Potts backyard and the surrounding residences unable to locate the suspect. We then began searching the surrounding area outside of Mrs. Potts neighborhood. As I drove southbound on the 4600 block of Pansy, I observed a Hispanic male wearing a black and white hooded jacket, blue jeans and white tennis shoes. This description matched that of a theft suspect who stole property from Walmart (5200 Fairmont) one hour earlier. (Refer to case number 18-7962) The male was observed running westbound from the northwest corner of Patients Hospital crossing over Pansy. The male looked in my direction as he crossed Pansy and then jumped over a seven foot square tubed wrought iron fence leading into the Broadwater Apartments (5045 Crenshaw Rd.). I stopped my patrol unit and activated my emergency lights and used my spot light to try and lighten the dark area. As I exited my patrol vehicle, I called out to the male and asked him to come talk to me as I walked towards the fence. The male continued to slowly walk away but then turned around and began walking towards me. As the male neared the fence I used my flashlight to see his hands at which time I observed the male pull a semi-automatic handgun from behind his back with his right hand and began raising it in my direction. I immediately drew my service weapon (Glock 22 semi-automatic .40 caliber pistol) and fired several rounds towards the suspect who appeared to fall backwards. The male then ran northbound between several parked vehicles at which time I lost sight of the suspect due to large green subtrees along the fence line. I notified dispatch that shots had been fired and provided my location. I then informed Sgt. Hibbs and Officer Powell, who arrived to my location as the shooting was occurring, to the last known location of the suspect.

A description of the suspect was then broadcasted for additional responding units to the area. Several hours later the suspect was located and arrested by Pasadena Police Officers at Beltway 8 and Preston. The suspect was then transported back to 4600 Pansy where I positively identified the suspect.

I surrendered my duty weapon and magazine in the weapon to ID Division Officer R. Hunt.

I later reviewed my Mobile Vehicle Recorder (MVR) and Body Camera assigned to unit 1631 which showed the male place what appears to be a bag through the wrought iron fence prior to jumping the fence and him pick up the bag on the opposite side of the fence. The video also showed the male to have nothing in his hands as he jumped over the fence into the Broadwater Apartments. Both the MVR and Body Cam video also recorded four shots being fired from my service weapon at the suspect.

EXHIBIT 36



EXHIBIT 36



EXHIBIT 36



EXHIBIT 36



EXHIBIT 36



EXHIBIT 36



EXHIBIT 36



EXHIBIT 36

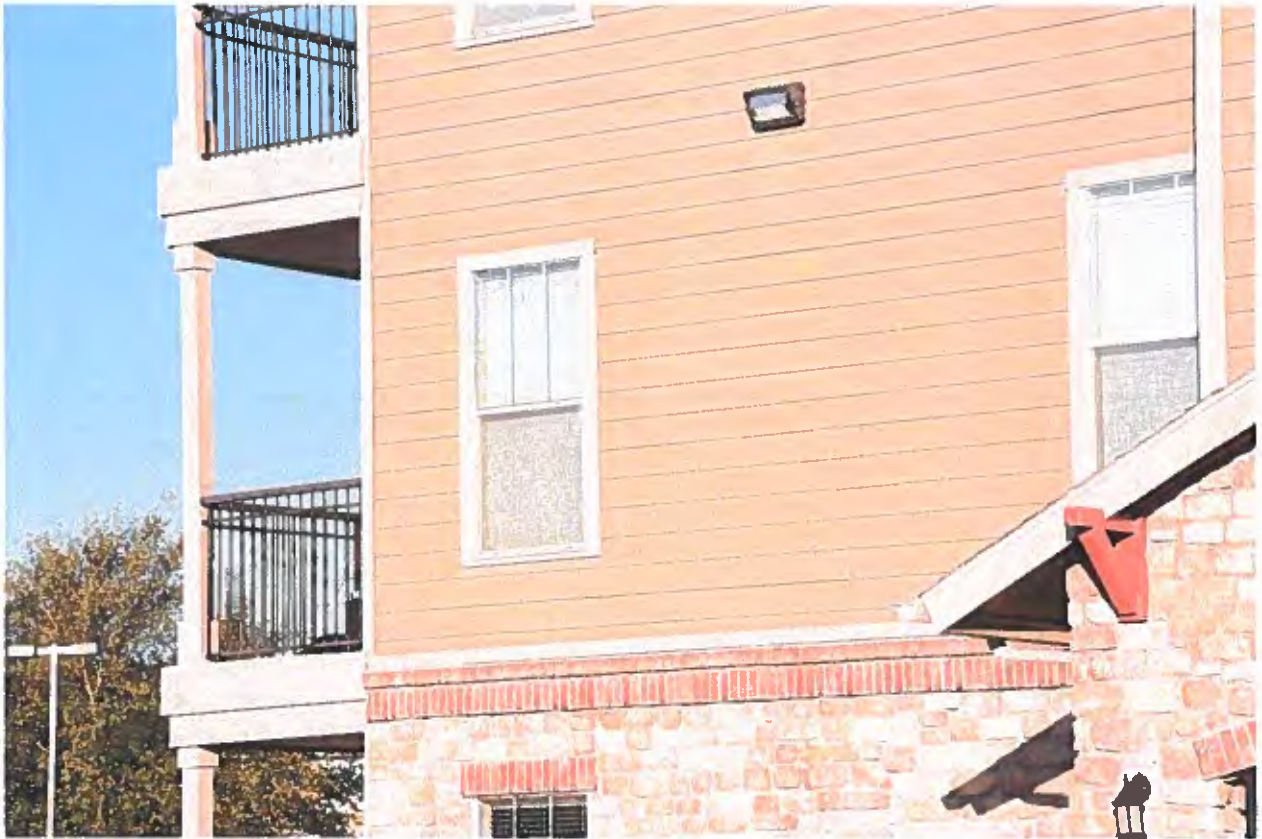


EXHIBIT 36



EXHIBIT 36

PASADENA POLICE DEPARTMENT
QUALIFICATION SCORE SHEET

Name: Saldivar, Rigo

Emp. #: 5750

[illegible]

ECD:

Cartridge:

Cartridge:

EXHIBIT 36

COPY

Pasadena Police Department

Use of Force Report

Confidential: This report is prepared as an internal administrative instrument. It is not to be released to persons or agencies outside the department without prior approval from the Chief of Police

Date: 4/16/2018 Time: 4:18 AM Case #: 2018-7963

Location of Incident: 4500 Pansy

Name: Ramirez Angel [REDACTED] H M
Last First Mi DOB Race Sex

Nature of Initial Contact (check one only)			
<input type="checkbox"/> Felony Arrest	<input checked="" type="checkbox"/> Call: Suspicious Person	<input type="checkbox"/> Call: Stolen Auto	
<input type="checkbox"/> Felony Warrant	<input type="checkbox"/> Call: Disturbance	<input type="checkbox"/> Car Check	
<input type="checkbox"/> Misdemeanor Arrest	<input type="checkbox"/> Call: Emotionally Disturbed	<input type="checkbox"/> Pedestrian Check	
<input type="checkbox"/> Misdemeanor Warrant	<input type="checkbox"/> Call: Armed Suspect	<input type="checkbox"/> Search Warrant	
<input type="checkbox"/> Traffic Violation	<input type="checkbox"/> Call: Domestic Violence	<input type="checkbox"/> Possible Drug Related	

Force Used Against Officer(s) (check all that apply):

Deadly Force			
<input type="checkbox"/> Revolver	<input checked="" type="checkbox"/> Automatic	<input type="checkbox"/> Shotgun	<input type="checkbox"/> Knife
<input type="checkbox"/> Other:			

Less than Deadly Force			
<input type="checkbox"/> Fist	<input type="checkbox"/> Feet	<input type="checkbox"/> Teeth	<input type="checkbox"/> Other:

Force Used by Officer(s) (check all that apply):

Deadly Force			
<input type="checkbox"/> Revolver	<input checked="" type="checkbox"/> Automatic	<input type="checkbox"/> Shotgun	<input type="checkbox"/> Other:

Less than Deadly Force			
<input type="checkbox"/> Physical Force	<input type="checkbox"/> Physical Restraint	<input type="checkbox"/> ASP	<input type="checkbox"/> O.C. Spray
<input type="checkbox"/> Taser (See Taser Section) <input type="checkbox"/> Other:			

Injuries

Injuries to Suspect			
<input type="checkbox"/> Death	<input type="checkbox"/> Serious Injury	<input type="checkbox"/> Minor Injury	<input type="checkbox"/> Complaint of Injury
<input checked="" type="checkbox"/> No Injury			

Treatment			
<input type="checkbox"/> Admitted - Hospital	<input type="checkbox"/> Treated - Released	<input type="checkbox"/> Delayed Treatment	<input checked="" type="checkbox"/> Refused Treatment

Location of Treatment or Hospitalization: _____

Was Injury Photographed? ☐ Yes ☐ No By Whom? _____ Unit # _____

Injuries

Injuries to Officer (if so, complete Injury Report Forms)			
<input type="checkbox"/> Death	<input type="checkbox"/> Serious Injury	<input type="checkbox"/> Minor Injury	<input type="checkbox"/> Complaint of Injury
<input checked="" type="checkbox"/> No Injury			

Treatment			
<input type="checkbox"/> Admitted - Hospital	<input type="checkbox"/> Treated - Released	<input type="checkbox"/> Delayed Treatment	<input checked="" type="checkbox"/> Refused Treatment

Location of Treatment or Hospitalization: _____

Was Injury Photographed? ☐ Yes ☒ No By Whom? _____ Unit # _____

Identify All Officers or Civilians Involved:

Names:	Emp. No.	Used Force?	What Did They Witness? How Were They Involved?
R. SALDIVAR	5750	Y	DISCHARGED WEAPON

EXHIBIT 36

Incident on Video: Yes ☒ No ☐ Videotape Number or Other Identifier: #1631

Supervisor Notified: Yes ☒ No ☐ Name: Sgt. Hibbs

Responded to: Scene ☒ Jail ☐ Other (Specify): _____ Did not Respond ☐

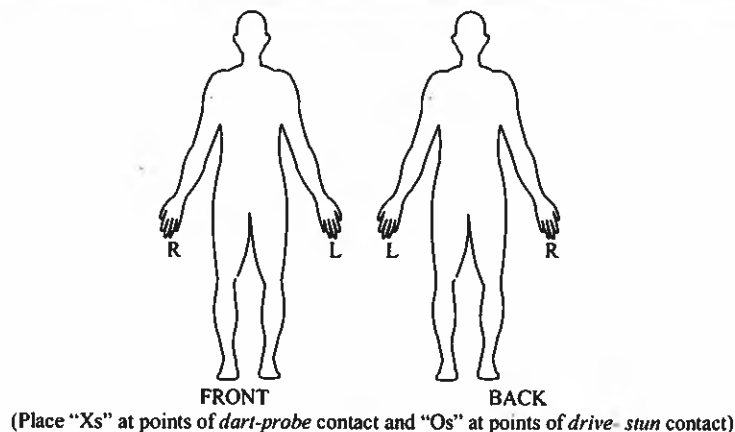
Commander Notified: Yes ☒ No ☐ Name: Lt. Warnek

Responded to: Scene ☒ Jail ☐ Other (Specify): _____ Did not Respond ☐

TASER Usage Section

<input type="checkbox"/> TASER Application		<input type="checkbox"/> Arc Display Only		<input type="checkbox"/> Laser Light Display Only	
TASER Serial #: _____		TASER Cartridge Number: _____			
TASER Model: <u>TASER X26</u> <input type="checkbox"/> Advanced TASER M26 <input type="checkbox"/>					
Dart-probe Contact: Yes <input type="checkbox"/> No <input type="checkbox"/>		Drive-Stun Contact: Yes <input type="checkbox"/> No <input type="checkbox"/>		Subject Wearing Heavy Clothing: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Number of Air Cartridges Fired: _____		Number of Cycles Applied: _____			
Air Cartridge Type(s): <u>15-ft</u> <input type="checkbox"/> <u>21-ft</u> <input type="checkbox"/> <u>21-ft XP (Yellow Cartridge)</u> <input type="checkbox"/>					
Approximate Target Distance at the Time of Deployment: _____ feet					
Distance Between Probes: _____ inches		Need for Additional Applications: Yes <input type="checkbox"/> No <input type="checkbox"/>			
Dart-Probes Penetrated Skin: Yes <input type="checkbox"/> No <input type="checkbox"/>		Dart-Probes Removed On-Scene: Yes <input type="checkbox"/> No <input type="checkbox"/>			

Diagram



Summary of Incident

April 16, 2018, at approximately 4:06 a.m., while working night shift patrol, I was dispatched to a suspicious person call at 5230 Keith. I was operating a marked police patrol unit #1631 and wearing my regular police patrol uniform. Further details provided by dispatch indicated the reportee stated an unknown male was ringing her doorbell and requested she open the door. The reportee being frightened by the unknown male contacted the police.

I arrived on scene at 4:08 a.m., along with Sgt. Hibbs and Officer Powell. I contacted the reportee who was identified as Edie Potts (w/f [REDACTED]). Mrs. Potts stated around 4:02 a.m., an unknown male began ringing her doorbell. Mrs. Potts said when she asked who it was the male stated, "it's a stranger open up!" Mrs. Potts then advised the male demanded money at which time she became frightened and called the police. Mrs. Potts was unable to provide me with a description of the suspect because she was afraid to look out the window.

EXHIBIT 36

Sgt. Hibbs, Officer Powell and I then checked Mrs. Potts backyard and the surrounding residences unable to locate the suspect. We then began searching the surrounding area outside of Mrs. Potts neighborhood. As I drove southbound on the 4500 block of Pansy, I observed a Hispanic male wearing a black and white hooded jacket, blue jeans and white tennis shoes. This description matched that of a theft suspect who stole property from Walmart (5200 Fairmont) one hour earlier. (Refer to case number 18-7962) The male was observed running westbound from the northwest corner of Patients Hospital crossing over Pansy. The male looked in my direction as he crossed Pansy and then jumped over a seven foot square tubed wrought iron fence leading into the Broadwater Apartments (5045 Crenshaw Rd.). I stopped my patrol unit and activated my emergency lights and used my spot light to try and lighten the dark area. As I exited my patrol vehicle, I called out to the male and asked him to come talk to me as I walked towards the fence. The male continued to slowly walk away but then turned around and began walking towards me. As the male neared the fence I used my flashlight to see his hands at which time I observed the male pull a semi-automatic handgun from behind his back with his right hand and began raising it in my direction. I immediately drew my service weapon (Glock 22 semi-automatic .40 caliber pistol) and fired several rounds towards the suspect who appeared to fall backwards. The male then ran northbound between several parked vehicles at which time I lost sight of the suspect due to large green subtrees along the fence line. I notified dispatch that shots had been fired and provided my location. I then informed Sgt. Hibbs and Officer Powell, who arrived to my location as the shooting was occurring, to the last known location of the suspect.

A description of the suspect was then broadcasted for additional responding units to the area. Several hours later the suspect was located and arrested by Pasadena Police Officers at Beltway 8 and Preston. The suspect was found to be uninjured and transported back to 4500 Pansy where I positively identified the suspect.

I surrendered my duty weapon and magazine in the weapon to ID Division Officer R. Hunt as requested by Detective R. Guerra.

I later reviewed my Mobile Video Recorder (MVR) and Body Camera assigned to unit 1631 which showed the male place what appears to be a bag through the wrought iron fence prior to jumping the fence and him pick up the bag on the opposite side of the fence. The video also showed the male to have nothing in his hands as he jumped over the fence into the Broadwater Apartments. Both the MVR and Body Cam video also recorded four shots being fired from my service weapon at the suspect. A CD copy of the video from the MVR to unit# 1631 was made and later tagged as **Exhibit #8** and logged into the police evidence room. A CD copy of the body cam video was also tagged as **Exhibit #9** and logged into the police evidence room.

EXHIBIT 36

Reporting Officer's Name:

R. Salazar

Emp. #

5750

Reporting Officer's Signature:

R. Salazar

Date:

4/16/2018

Pasadena 1319

Page 3 of 4

CONFIDENTIAL

Revised: 07/02/08

Shift Supervisor
Shift Commander
Bureau Commander

Notification and Review

[Signature]
[Signature]
[Signature]

Date:

Date:

Date:

5-4-2018

4-23-18

3/9/2018

EXHIBIT 36

RION N. HART, PH.D.
CLINICAL AND CONSULTING PSYCHOLOGY
PSYCHOANALYSIS

1215 BARKDULL
HOUSTON, TX 77006
713-522-3133

CONFIDENTIAL

April 17, 2018

Chief Al Espinoza, Chief
Pasadena Police Department
1201 Davis St.
Pasadena, TX 77506

Re: Officer Rigo Saldavar

Chief Espinoza,

I saw Officer Saldavar on April 17, 2018 for an officer involved shooting consultation. The incident appears to have had minimal impact on him and there is no reason of a psychological nature that would prevent him from returning to unrestricted duty as of today.

Thank you very much for the opportunity to be of service to your Department. Please do not hesitate to contact me with any questions or need for additional information.

Respectfully,



Rion N. Hart, PhD
Clinical Assistant Professor
Menninger Department of Psychiatry
Baylor College of Medicine

EXHIBIT 36